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T H E
Natural Probability
O F A
LASTING PEACE
I N
E U R O P E;

Shewn from the Circumstances of the
Great P O W E R S, as they are now
situated; compared with the State
of Affairs when the Treaties of
RYSWICK and *UTRÈCHT*
were severally concluded.



L O N D O N :

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2000



TO THE GENUINE BLUNDERER.



UNUSUAL as it is, *Sir*, to make these Addresses to *Men out of Power*, I have chosen you for my Patron. As he who courts a Person in great Authority, must immediately invest him with all illustrious Attributes; so he who applies to a Man out of Power, transfers the Panegyrick to him-

self. He is from that Moment virtuous and brave, disinterested and sincere, in Right of his own Dedication. He *purchases* Applause by giving it to those whom the World think *not able to pay for it*; and as he offers *Praise* without the View of *his own Profit*, he receives his *Reward in Fame*. It may be objected indeed, that the Merit of such Applications *bath not been* always without *allay*; and that as some Authors dedicate to Persons of Distinction *because they are great Men*, there are likewise those who dedicate to others in hopes *that they will be great Men*. I cannot deny that this may be true in some Instances; but you, *Sir*, will easily acquit *me* of any such fond Wishes, and readily believe me, when I assure you, that I neither desire, nor expect to see *you* above your present Condition.

There is indeed an *Honourable Person* who told us
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last Summer, in a surprizing Manner, * *that PARTY PREJUDICE hath been the great Cause of your Depression; that by this Misfortune you have been prevented from exerting your unquestionable Capacities in the Service of your Country, whilst such a Pedlar in Politicks as the present Minister hath been thrust up into the highest Station, and hath had the Power of acting so long to the infinite Dishonour and Detriment of the Nation.*

This Honourable Person had however assured us a very few pages before, † *that he could never approve of the Treaty of Utrecht; that he condemned all the Measures of those four Years wherein you was a Minister of State; that it is true, Miscarriages and Misdemeanors may be justly charged upon those Times; yet still he conceives that the Persons at present in Power are the last in the World who ought to reproach you, since their Conduct, he says, is an ample Apology for you.*

The same Honourable Person again returned to the Treaty of Utrecht on the first Day of this Session. God knew, he said, *that he heartily wished it had been better than it was; but that whatever Objections might have been made against that Treaty, he could not see why it should be declaimed at.* He observed, *that it was the great Foundation of all the Treaties which we have since made.* They have, says he, PROCEEDED on the Footing of the Treaty of Utrecht, which therefore ought not to be made the Subject of Clamour and Reproach.

This unnatural, inconsistent Medley of Apology and Censure hath moved my Compassion to see you espoused by such an unhappy Advocate. In one Breath *he tells us, that he always condemned your Administration, and never approved of either your Measures or your Treaties: In the next Breath he says, that Party Prejudice alone thrust you out of the Administration; and that this Misfortune prevents you from exerting your unquestionable Capacities in the Service of your Country.*

* Answer to Remarks, &c. p. 28.

† Ibid. p. 5, 6, &c.

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Again, it seems, your *Miscarriages* and *Misdemeanours* are *not to be deny'd*; but then he maintains that they ought *not to be accused*: And further he owns, that the *Treaty of Utrecht* was a *very bad Treaty*; but insists that its Errors ought *not to be complained of*, and *bad as it is*, that it ought *not to be censured*.

There is no way of accounting for this strain of *wretched, ridiculous Contradiction*, unless we may suppose that he is *not able to defend* you, and yet *compelled to support* you; that TRUTH and INTEREST govern his Mind by turns, the first *against his Will*, the last *against his Honour*; and that whilst the one *forces* from him the *Condemnation* of your Actions, the other still determines him to *espouse* your Person.

What hath made this more remarkable, is, that the same *worthy Gentleman*, who thinks it such a Misfortune that you are not *at the Head of Affairs*, this very Man, behold him well! would but a few Years ago *have taken your Head from your Shoulders*. Let me add, that, could he have had a *Share in this Administration*, he never had lost his *Party Prejudice against you*. The Compliment of *unquestionable Capacities* had been bestowed on that Minister whom he now sets below you, and you had been left in quiet Possession of your *proper Titles*: You had been that very *Pedlar in Politicks* which he once thought you to be, though he hath since wrongfully and shamefully *transferred the Name* to another.

It is therefore, Sir, well worthy of your Consideration, whether his *present Attachment*, as well as his *former Aversion* to you, may not be liable to a *new Revolution*, and one as well as the other appear to his Mind, whenever it suits with his Interest in the lights of *Party Prejudice*; insomuch, that as he *departed* from his *old Principles*, and thought it to be a Misfortune *that you was out of all Power*, so he may one Day *revert*, with equal Consistency, to his *former Opinions*, and think it as great a Misfortune *that you continue* UNHANGED.

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This likewise hath the greater Appearance of Probability, as such a Change may *candidly* and *fairly* be expected from him, since it would be *too hard* to imagine, that one so *infinitely variable* should at *no Time* change for the better; and considering the many *Successions* of *contradictory Notions* to which he is liable, it would be almost impossible to conceive *that he should never be right*.

If I, *Sir*, on my part, am less complaisant than the *Honourable Person* is at present to you, your most excellent Understanding and extreme Candor will readily allow that I am *more consistent*; since what I shall say to you, I have always said of you, and have neither changed my Principles with my Passions, nor my publick Sentiments with my private Interests.

I confess, *Sir*, I never approved of either your Principles or your Measures, and give me leave to assure you, that I shall never palliate what I could never approve. I always condemned the *Treaty of Utrecht*, and I shall never excuse what no Man ever could justify. The *Reward* which was due to the Merits of your Administration, I have constantly wished might follow you, and I am even still willing to hope that it may one Day overtake you. I have been as diligent to extend your Fame, as I have been desirous to reward your Merit. I have taken infinite Pains to revive the Memory of your faithful Services to this Nation. I have recalled the Scenes of your publick Transactions, to the View of a People who had almost forgot them, and made them known to a rising Generation, whose Fathers were Witnesses to them.

If you should enquire, why I have turned my Attention to Times so long since past, and almost forgotten? Let me reply, that whilst your *Faction* lives, your *Measures* never ought to be forgotten. You, *Sir*, it is who have rendered these Attempts necessary. Without such Necessity I should no more have troubled myself with Researches of this kind, than
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with the most distant Concerns in the World. But you have demanded this from me.

In the fair and equal Judgment of unbiaſſed Men, the Merits of every Adminiſtration muſt be conſidered *alone*, and quite *independent* of the Folly or Iniquity of thoſe who went before them. No Man in his Senſes can ever conceive, that the Weakneſs or Villany of former Times, is a Proof that theſe are governed by Wiſdom and Juſtice; or that even the *enormous* and *profligate* Courſe of your own Adminiſtration, will prove the preſent Miniſters able and upright Counſellors. Compariſons indeed may ſometimes be admitted, and very bad Miniſters may perhaps appear *comparatively* good with Reſpect to you, yet after all they muſt be bad in themſelves if they have no better Juſtification. That you were guilty of *Miſcarriages* and *Miſdemeanours*, hath not been alledged with any ſuch view in favour of this Miniſtry, their Integrity muſt abide another Teſt, their Abilities appeal to ſtronger Proofs.

But then it is not to be deny'd, that the *Follies* or *Crimes* of one Adminiſtration may load *ſucceeding Miniſters* with infinite *Diſadvantages*; that the Publick may ſuffer from the *Ignorance* or *Iniquity* of *one Sett of Men*, to ſuch a Degree, that the moſt conſummate Wiſdom and Integrity will for a long time find it *difficult to provide a Remedy*; that the Strength of a Nation may be waſted at Home, its Interests ſacrificed Abroad, its Friends depressed and weakened, its Enemies raiſed and aggrandized, its Honour ſunk, its Commerce loſt, its Credit and Liberties ruined, through the *Male Practices* of *unſkilful* or *unrighteous* Governors. So that thoſe who ſucceed them in Power will labour under *every Miſfortune* in the Courſe of their Adminiſtration, and poſſibly find that after their utmoſt Addreſs and Application *ſome Evils are not to be cured*.

That

That this hath been the Fate of *this Administration*, is too well known among those who remember yours, and that it ought to be as clearly seen by those who have not so long been conversant with publick Transactions, can admit of no Dispute, when You the *Person* who by your wicked and abandoned Measures brought all these Calamities upon your Country, and entailed these Disadvantages upon succeeding Ministers; when You, the *Author* of such intolerable Grievances, shall still proceed to *multiply your Crimes*, not satisfied with the Mischief which you had done, not content with having involved a glorious and happy Country in Shame and terrible Distress, nor staying your Hand, wanton in the Works of Wickedness, though your injured Country had extended Mercy to you.

Were not you, Sir, a *principal Minister* in the four last Years of the late *Queen's* Reign? Were not you a *principal Adviser* of the *Treaty of Utrecht*? Were not all our publick Misfortunes derived from your fatal Measures? Did not the long unhappy Differences between the *Emperor* and *Spain*; Did not all the Ruptures and Misunderstandings which have affected *Britaine* ever since, take their Rise from the *ill-advised* and *infamous* Negotiations of your Ministry? Are you then the Man who would *transfer* this Load of Guilt to the *present* Ministers? Are you *one of those* who accuse them of *Folly* and *Iniquity*, as Authors of publick Misfortunes which flowed from your own *Administration*? Are You *one of those* who labour to distress these Ministers, whilst they are retrieving the Damage of your own *wild Projects*? And do you undertake to *discredit* those Councils, which have relieved this Nation from the heavy Effects of your *Crimes*?

It is on this account that your *Person* hath been arraigned, and your *Measures* exposed, to the end, that the *People of England* may know *who* hath been the *Author* of their Complaints and Misfortunes?

Upon

Upon whom they are to fix the Charge of *Blunders, bad Measures* and *infamous Actions*? Whom it is that they are to upbraid as the *Cause* of their Debts and their Taxes, and to *curse* for the Interruptions of their Peace and their Trade?

Hence let the World judge by *what* Misfortune you have been *depressed*, by *what* prevented from exerting your *unquestionable Capacities* in the Service of your Country. If it was *Party Prejudice*, as your Friend complains, though at the Expence of his *Gratitude* and Reputation, it was a *virtuous Party which depressed* you, and it is an *honest Prejudice* which prevents you from exerting your *Capacities*; or which is the same, from repeating your *Crimes*.

I believe the Course of your Proceedings is not to be parallel'd in all History, and will be deservedly the wonder of all Posterity. We have seen you acting a high and important Part in the Councils of your Country, abusing every Trust reposed in you, and betraying every Interest committed to your Care; sacrificing the Honour and the Allies of *Great Britain*, defeating all the Fruits of our successful Wars, and surrendering a Victorious Nation to the Mercy of a conquered Enemy; pursued for this by the Cries of an injured People, and flying from the Justice of your native Country; enlisting yourself in the SERVICE OF THE PRETENDER, and labouring to ruin the Constitution of a Country, whose Happiness and whose Glory you had already sacrificed: Unsuccessful in your wicked Attempts and defeated in your execrable Treasons, submitting to the Prince, whose Life and whose Throne you had invaded; suing for the Pardon of a Nation, whose Liberties you had endangered; distinguished by the Clemency of your *forgiving Sovereign*, and by the Lenity of your *indul-*

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gent Country; received again to breathe your native Air, and to enjoy the Fortunes of your Family, when many of the *best and noblest Englishmen* had perished in the Treasons which you had excited them to commit, and their Families had been undone by the Consequence of your Crimes: Abusing this *unexampled Mercy*, and returning this *amazing Goodness* by the blackest Ingratitude, and by the vilest Injustice. Not repenting of your *Male-Administration*, not regretting the *fatal Consequences* of your Measures, You wickedly made use of that Liberty, to which you had been so mercifully restored, and basely employed it against an Administration loaded with the *Difficulties* of your own *pernicious Treaties*; defamed them as the Cause of those Misfortunes, which the Nation struggled with in Consequence of your *destructive Measures*: With all the Malice and Industry which you could exert, endeavouring to defeat their Councils, *even in restoring those Interests which you had left in Confusion*; and even in recovering that Balance of Power, which you had so shamefully destroyed.

Whilst thus you have been *Improving* those Mischiefs by your OPPOSITION, which were occasioned by your ADMINISTRATION, we have been wearied with your Clamours against our *Treaties and Alliances*. We have been deafened with the reproachful Names of *Blunders and Blunderers*. We have also been sickened with the Sound of your *unquestionable Capacities*, and it is time you should be set right in all those important Matters.

No Men can be more ready to allow than the *Friends of the present Ministers*, that there have really been *bad Treaties and horrible Blunders*. We confess that there have been *many Grievances* of this kind. We agree that this Nation cannot fail to flourish in *Wealth and Reputation*, if its own Governors do not betray its Interests.

terests. But then we maintain that *You* was the **BLUNDERER**. It was *You* who made the bad Treaties. It was *you* who was the *wicked Minister*. *You* betrayed our Interests, and involved us in Distress. If we have been embroiled in Contests which could never have happened without *Miscarriages* and *Misdemeanors*; the former have been our *Misfortunes*, the latter were *your own Crimes*. And shall we undeservedly bear not only the Punishment, but the Reproach? Have you *involved* your Country in Distress, and do you *revile* its Ministers, as the Authors of that Evil which had *no other Author but your self*? Is it not Hardship enough upon them to *redress the Grievances of your Times*, but are they likewise to *suffer the Scandal of being the Cause of such Calamities*? And is it *You* who make this *monstrous Atonement* for **YOUR CRIMES**? Do you *discharge* your self, by *wrongfully loading* others with your own Guilt? Might you not with equal **Honesty** commit *Murder*, yet swear that *Murder* to have been committed by others, though apparently *innocent*, nay the most *incapable* in the World, both of the *Fact* and *Design*?

Does it excuse the *Treaty of Utrecht*, that, as your *honourable Friend* affirms, *all other Treaties subsequent to it have proceeded on it*? Was it not a bad Treaty, by the *Confession* of that *worthy Gentleman*; and have *other Treaties* proceeded on it? So much the worse. If they proceeded on a *bad Foundation*, what must be said for you who laid that Foundation? If they proceeded to reform its *Errors*, and to amend its *Irregularities*, what must still be said for you, who left such *Errors* to reform, such *Irregularities* to amend even in your own Work? If it was thus *bad originally*, hard was the Fate of your Country! If it hath been *made better*, hard was the *Lot of those Ministers* obliged to build upon a *bad Foundation*; and happy it is, as well for us as for them, that they have *superinduced a better*.

But is their Conduct any Apology for you, as your Friend asserts? Because they have *retrieved* that *National Damage* which you occasioned; because, notwithstanding this *unhappy Treaty*, and notwithstanding such a *bad Foundation*, they have proceeded by subsequent Negotiations to establish a *good Foundation*; Are you therefore justify'd? Or is not their Conduct a *Reproach to you*, rather than an *Apology for you*? When they, by the *Arts of the Cabinet* alone, have been able to establish the *Interests of Europe* on a good Foundation; whereas You, as your Friend is obliged to confess, *even You*, though the Master of invincible Armies, and what is still more to be wondered at, with your *unquestionable CAPACITIES*, left those Interests on a *bad Foundation*.

Does your Friend condemn your Measures, does he own that he never could approve the *Treaty of Utrecht*, and hath he told us that *all other Treaties* since have proceeded on *this universally exploded Treaty*? Let me ask you, Sir, is this an *Apology for you*? Rather should I think it to be an *Apology for the present Ministers*; and it certainly would be so, did they want one. Had their Measures been unsuccessful, what could have been a *better Excuse* for them, than that they were *necessitated* to proceed on the *Footing of your Treaty of Utrecht*; that Treaty which your Friend himself condemns, and which, with your *unquestionable Capacities*, you dare not undertake to justify?

Your *honourable Friend* is often sarcastical on that *plentiful Crop of Treaties* * which the last *sixteen Years* have produced. It might perhaps much better employ his admirable Talent of Ridicule, would he consider that *plentiful Crop of Blunders* which *one single Treaty*, even the *Treaty of Utrecht* produced. Read the *little Work* which I now inscribe to your Name. Recollect how

* Answer to Remarks, &c. p. 2.

you left the *Interests of Europe* provided for. The *Emperor* and *France* in a War; the *Emperor* and *Spain* in a State of War; the *Island of Sicily* a disputed and uncertain Possession; the *Succeſſion of Tuscany* wholly neglected; the *Neutrality of Italy* thus miserably precarious; and the *British Trade* with *Spain* under ſuch looſe *Stipulations*, that no Merchant thought it ſafe to carry on Commerce under your *Treaties*.

Tell us, you who are ſo great a Maſter of Negotiation, whether all theſe jarring Interests might not have been well regulated by a wiſe and honeſt Mediation in one ſingle *Treaty*, whiſt that *Treaty* was ſupported by the Arms of many Nations, the *Grand Alliance* itſelf? But when the Sword was ſurrendered, when the Confederacy which gave the Law became diſſolved, how was your *plentiſul Crop of BLUNDERS* in the *Treaty of Utrecht* to have been retrieved, or whom are we now to upbraid with that *plentiſul Crop of TREATIES* which your *Blunders* obliged us to make for the *Redreſs of our Grievances*?

When the *Treaty* is in the Field, one ſingle *Agreement* may be full and final, the Terror of the Sword ſhortens Debates, and adjusts all Differences. But when Advantages are to be gained, or Diſadvantages ſurmouted by the *Arts of Peace*, the utmoſt Adreſs, the moſt dextrous Application can only proceed by Degrees; and Miniſters muſt ſubmit to ſlower Meaſures in obtaining National Points, rather than hazard the Peril and Expence of a *Deciſion by War*. One *Treaty* upon another gains in theſe Times what *Blunder* upon *Blunder* loſt in yours. If many *Compacts* have been made to eſtabliſh Peace, does it not evince how many *Difficulties* you created to diſturb that Peace? By one *Treaty* you left many Princes at Variance, many Interests unſettled, and many Nations expoſed. It required many *Treaties*, after you had broke the *Grand Alliance*,

Alliance, to make those Princes cordial Friends, to reconcile their Interests, and secure the Publick Tranquillity. All this hath been done, *effectually done*, the Work of Peace is perfect. And who are we now to reproach; *You, Sir*, whose *one single Treaty* caused so many Evils, or They who by their *numerous Treaties* have redressed those *numerous Evils*?

How much to your Credit will it appear, that by the *Blunders of a Four Years Administration*, you embarrassed *all the Affairs of Sixteen Years* afterwards; that you multiplied *Folly and Iniquity* by your Measures to *such an enormous Degree*, as filled you with Hopes that *Publick Affairs could never be right whilst you lived*; and that you had propagated so much Confusion as *always must embroil your Country*, to the *immeasurable Comfort* of your self, and to the *equal Curse* of this Administration?

Had the Measures of the present Ministers been really bad, their Projects wild and mischievous, their Views unjust and wicked, their Judgments weak and undiscerning, still it had been unbecoming you to upbraid those Measures: You, whose Crimes are so notorious, whose Follies so glaring, whose Conduct hath done such infinite Damage to the People. Could you presume to declare yourself the Judge and Censor of an Administration, who had by the Guilt of your own Ministry become the Perquisite of an Executioner? Could you be qualified to appear as an *Accuser*, who in your own Person had already been a *Convict*; or could you be suffered as an *Evidence*, whose Actions had made you *most infamous*?

But if it ill became you even to be the *Accuser*, when your own Crimes were so black and odious, that, compared with you, the worst Delinquent might deserve Excuse and Pity. If you thus were justly disqualified to *accuse*, with what uncommon Effrontery

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was it, that you could dare to *defame*? Not able to purge yourself of Guilt, you fled from the Trial of your Actions; not able to acquit yourself before your Country, you raised a Rebellion against the Constitution. When your *Male-Administration*, aggravated by this *additional High-Treason*; when these enormous Crimes found Mercy, were neither *Honesty* or *Gratitude* found in you? After Crimes which had forfeited your Life, you were favoured both with Life and Liberty; yet repaid this Compassion with cruel Injustice; the fiercest Opposition to that *injured Prince*, who had pardoned you; and the vilest *Defamation* of those Ministers, whom he employed in his Service.

This Defamation of unblameable Characters, this Misrepresentation of the best and wisest Councils, had been heinous enough, God knows, on the Part of any Man, much more so on yours. And yet even this was not the Height of your Wickedness: You were not guilty *merely* of *Male-Administration*, nor were you guilty of *common* Defamation; but you aggravated your Guilt by the Complication of your Crimes: Connecting your *publick Wickedness* with your *personal Injuries*, by defaming innocent Men, as Authors of that National Evil, which flowed from your own *destructive Measures*.

In truth, it seemed as if you had been born for the *Shame* and *Distress* of your Country; nay, the very Changes of your Condition from *Obscurity* to *high Stations*, and from *Greatness* to *abject Meanness*, have only been *shifting the Scenes of Mischief*, wherein your busy, restless Soul hath always been employed.

Surely it was never known before, and will, I hope, never again be seen, that a most *wicked, corrupt, and arbitrary* Minister, abusing the Power of the Publick, should plunge his Country in every Calamity; and even divested of publick Power, should still endea-

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your to make it *useless*, nay *odious*, even in relieving that Country, labouring under those very *Calamities* which himself had occasioned.

When this ever happens to be the Case; and this indeed is *your* Case; no Heart can be too warm, no Hand too active, against a Man, like *you*, thus *covered with Crimes*, thus *invading the Innocent*, thus *abusing* and *provoking* an *injured and insulted People*.

If therefore, *Sir*, I have treated you in this *hostile* Manner, even whilst I am bringing glad Tidings to the People, it will be allowed consistent with *just Judgment*. You are not entitled to the Benefit of that Quiet, which you have always laboured to obstruct. *There is no Peace for the Wicked*; and whilst I can either write or speak, *there shall be none for you*.

For myself, I desire no truer Glory, nor a nobler Monument, than that it may be written on my Tomb, *how sincerely I have abhorred, and how successfully I have exposed your Schemes*. If ever Strife was pleasing to a generous Mind, it is so in the highest degree when I struggle with you; Ill-nature it cannot be termed, nor doth it shew the want of Humanity, but the most humane, benevolent Disposition, to make perpetual War with the *Troublers of the World*. If ever Love of Liberty, if ever Zeal for that Country which bore me touched my Passions, or awakened my Resentments, where could they direct my Aversion but to You, the most confirmed, inveterate Foe that ever *Britain* or *British* Liberties have known? This Aversion let me cherish; it is noble to hate that Man who hates all Virtue, whose Life hath been a *Monopoly of Crimes*, whose Crimes the Cause of infinite Calamities, and Curse of many Nations.

Whilst I survey the Course of *your Life*, I see the most *malignant Spirit* against the Happiness of Men that ever appeared in a Series of human Actions. At the same time do I behold

hold the most *selfish*, *cruel* Ambition that ever aspired to rule ; so boundless a Passion for Power, with so little Desire to make it useful in the World ; such Practices to obtain that Power, Practices against the Quiet of States, and the Ends of all Society ; such Impetuosity of Temper, such Arbitrariness of Will, such Insolence of Behaviour, such Levity of Mind, such Wantonness of Humour, with such total *Absence of Honour and Morals*, that I tremble in the View of an Impossibility ; I shudder to think of *your Success* in your Pretensions to Power. What would such Men be with Power, who can be *Tyrants with none* ?

It is from this Survey of your Proceedings, that I am determin'd *ever to oppose them* in all Times, and under all Ministers ; under those whom you endeavour to distress, the *tendereſt Humanity* requires the Help of all good Men against you ; under Ministers whom you should approve or concur with, the Nation itself must be on the Brink of Destruction, and all who love the Nation would be summoned to deliver it from Ruin. But *no Ministry* in the World ever could engage *my Hand* against you, like the Horror and Detestation of your own Crimes ; these warm *my Passions*, these guide *my Pen*. The Interests and the Injuries of my *dearest Friends* have but a *second Place* in my Thoughts, when I consider you. If ever I should have the Misfortune to live till this Administration is forgot, yet trust me, you will not pass unremembered. And were I left the only Man in the World to vindicate *their Memories*, or to display *your Crimes*, yet in neither Case, should my Hand be *either slow or sparing*.

It is with Pleasure I reflect, that you have often found me in your Way, and it is with *some Hopes* that I still pursue you. I have no *solemn Leagues*, no *covenanted Bonds* ; TRUTH is great, and will prevail *alone*. It is to a Nation that I speak ; it is against the *Enemies of Peace*, and these are the *Times of Peace* ; Times fit for Judgment against *such Men*, when the People

are not diverted from the Scent of Publick Justice; when their Passions are not enflamed, nor their Enquiries misled by those who take Advantage of their Difficulties, and improve the Publick Confusion.

If ever *National Vengeance* ought to fall upon the *Guilty Head*, this is the *Maturity of Time*, when those who have acted in *Defiance of Laws*, and to the *Damage* of a great *People*, ought to know the *Resentments of that People*; when those who have menaced and insulted the *truest Friends*, and the *best Servants* of their Country with the *Terrors of Impeachments*, with *Penal Acts* and *Attainders*; when those who have had this *raging Folly*, may experience that it is *not* **FACTION** alone which can *threaten and crush*; but that a **LAWFUL GOVERNMENT** is invested with Power, as it is with Right, to *scatter and confound its Enemies*.

This, SIR, true as it is, *bolder Men* than your *Friend* have **DEFIED**, and Men of more *unquestionable Capacities* even than yours have *affected to despise*, vainly soothing their deluded Fancy, that *Art* might baffle *Justice*. What terrible Mistakes they were liable to, you cannot be ignorant of: And how far your *Wisdom* can avoid what your *matchless Virtue* hath earned, Time, and those who best know you may determine. But be assured, that no Endeavours shall be spared by me to *rouse the Justice of the Nation*; and if this honest Labour does but in the least contribute to that *desirable Effect*, it will abundantly rejoice,

Your ever faithful, zealous,

and devoted Servant.



THE
Natural Probability
OF A
LASTING PEACE
IN
EUROPE, &c.



PEACE is a Blessing to Mankind in general, as well as to Governments in particular. A Season of common Tranquillity inspires not only the Friends of an Administration, but all who love the Happiness of the World, with the highest Satisfaction. 'Tis the Health of human Nature; and they who can delight in War, might with more Humanity rejoice in the Calamities of a Prison or a Pest-House.

We enjoy at present the most perfect, universal and established Tranquillity. We behold not only *Great Britain* at Peace, and on the most amicable Terms with all her Neighbours, but all her Neighbours are at the same Time disposed in the strongest Manner to live well with each other. We are not only happy in a good Understanding with other Nations, but those Nations likewise are without Quarrels and Disputes among themselves; So that as we have no Prospect of War or Contention by Differences of our own; neither are we likely to be drawn into Danger by the Disagreements, the Ruptures, or Commotions of others.

This most advantageous Situation, is what we have very seldom seen, what we hope will long continue, and what we conceive to be secured by the most effectual, the best contrived Means in the World. We cannot look back to any particular Period, within a long Course of Time, when *Europe* was blest with such universal Quiet, and with such reasonable Hopes of its long extended Duration. Almost every Peace that hath been made in *Europe*, since the Restoration of *Charles the Second*, seems to have been in its Nature, as well as

in its Consequence, no better than a short Cessation of Arms; and whoever looks into the Treaties which were designed to compose the Quarrels of Princes then at Variance, may easily see their Differences far from being finished, and those unfinished Differences big with new Calamities. But we have now the Happiness to see the Plan of Power so well designed, the Limits so well bounded, and so strongly fenced, the several Princes of *Europe* so well satisfied with their respective Conditions; so powerfully disposed to live peaceably within themselves, and so very far from being either interested or inclined to make Encroachments on their Neighbours, that we may indulge all those Pleasures which good Minds are capable of conceiving on so agreeable a Prospect; since no Season ever beheld a Peace more universal, nor did any Conjunction of Affairs ever promise a Peace more established and lasting.

To shew the happy Situation of our Affairs in the strongest and clearest Light, so that every one may be convinced that our Happiness is as perfect as the Nature of Human Affairs can allow it to be, and that our Peace is more compleat than hath at any Time
been

been known, I shall look back to former Times, and consider the Situation of *Europe* when former Treaties of Peace have been made ; on which Occasion, that I may not refer to Facts beyond the Reader's Sight, I will confine my self to Times within his Memory.

The *Treaty of Ryswick* in King *William's* Time, and the *Treaty of Utrecht* in the late Queen's Reign, respectively determined very dreadful Contentions in *Europe*, and undertook to adjust the Disputes which had occasioned those Wars. Both these Treaties, as they determined great Contentions, were also speedily followed by new Contests grounded on the old Differences ; and when these Treaties were agreed to, none could imagine that they would ever become effectual. If we take a cursory View of Publick Affairs at those respective Periods, the Truth of this will be immediately seen ; from whence we may most easily discern, how much more secure the Peace of *Great Britain* must be at this Time, than it was when the *Peace of Ryswick* was concluded, and how much better established it is at present than it was by the *Treaty of Utrecht*.

King

King *William the Third*, when he ended his Wars, had only the Comfort to reflect that he had withstood the Progress of the *French King's* Arms, without having seen the dangerous Power of *France* either securely bounded, or in any Degree diminished. *Lewis the Fourteenth* was then in the Vigour of his Life, and at the Summit of his Glory; absolutely Master of his own People, and Arbiter to many Nations. He was thus without Difficulties at Home, and of great Influence Abroad. He had numerous Armies composed of veteran well disciplined Soldiers. He had many great Commanders of mighty Renown in War, the first for Reputation then in the World, and in those Times almost ever successful. He was in his own Person of a most enterprizing Nature, ever meditating great Atchievements, and seemed indeed born to try how far the Power of *France* could be extended. His Countries were at that Time unexhausted, and to all Appearance inexhaustible, such infinite Resources had the *French* within themselves. His Subjects too were passionately fond of military Exploits, and all the Nations round him in such a Condition as presented him with fresh Incitements to pursue his Glory, by daily Prospects of Success and Triumph. The

The *Dutch* were then without a competent Barrier to withstand his Arms, which formerly had made such dreadful Havock of their Country, and which, within *less than thirty* Years before, had advanced even to the Gates of *Utrecht*. *Flanders* was weak and defenceless, from its being in the Possession of *Spain*, remote from the *Spanish* Court, and ill taken care of by the *Spanish* Ministry, though ever coveted by the *French* and contiguous to their Country. *Charles the Second* was at that Time dying upon the Throne of *Spain*: His Crown in Right of Blood devolving on the *Children of FRANCE*, which seemed, by this Accession, uncontrollable in its Claim to universal Monarchy. The Empire was exposed to the Ravages of *France*, and the *House of Austria* much too weak to oppose of itself such a Torrent of Power. The *Electors of Bavaria*, if not inclined to advance the immoderate Growth of *France*, yet found himself obliged to make the best Terms for himself, when he saw the Insufficiency of the *Imperial* Power, and the Uncertainty of Support from *England*, where the King could not obtain above *Six Thousand Men* to protect the Peace of his Kingdoms, and where it was impossi-

impossible to depend upon the Aid or Approbation of the *House of Commons*. This was a powerful Reason, and might be a principal Motive with the *Electors of Bavaria*, to throw himself into the Arms of *France*. He might have been glad of the *English* Alliance, could he have been assured that the King would have been in any Condition to make his Alliances good. As it was so precarious, he had no way to save his own Country, but by making himself useful to the *French*; and to him it was owing that *all Flanders* was surrendered to them in one Night. King *William the Third*, though the brave and faithful Assertor of the *Liberties of Europe*, suffered this hard Fate, and had this extraordinary Recompence, even from a People whom he had saved from Destruction. Such too were the Mischiefs done to this Nation, and the Miseries entailed upon Generations unborn, by Men who rated their Opposition to the most reasonable Measures as the most shining Proof of Publick Virtue. That great Prince was now worn out with Fatigues, his People were divided into Parties, his Parliaments daily disagreeing with his Councils, and even affronting his Person. His Supplies were

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scanty

scanty and uncertain, his very Title to the Throne was disputed; and the Cause of the *excluded Family* not only asserted within the Kingdom by a then very formidable Faction, but their Persons fostered and cherished in the *Court of France*, as well as their Interests always supported, and often avowed by the then *French King*.

Could any one then living, who beheld such a State of Affairs, fail to presage the general War which followed the Breach of the *Partition Treaty*? Or, could any one conceive that, had Treaties been multiply'd even to an infinite Number, they could possibly restrain a powerful and an enterprizing Prince, such as the late *French King*, from extending his Conquests, when open Countries and vacant Thrones invited him to enter and possess them; when his Arms were at the same time great in Reputation and Power, his Countries abounding with People and Riches, his Enemies few and unformidable, so that no considerable Opposition seemed to threaten or deter him?

So melancholy was our Prospect in the Decline of King *William's* Life, so little Hopes could we then have of enjoying long Tranquillity, and so dreadful

ful was our Condition under that Con-
 juncture of Affairs, notwithstanding many
 Treaties had been made, notwithstanding
 Peace and Friendship had been solemnly
 sworn between the reigning Princes.

The next Approach of Peace was
 at the End of that great War which
 proceeded from the Period last de-
 scribed. Our Success was so great, and
 our Arms so invincible, that from Us
 alone the Laws of Peace were expect-
 ed and apply'd for; and after Victo-
 ries which had rais'd our Glory and
 our Power so stupendously high, we
 might have laid the Foundations of
 Peace deep as the Centre of the Earth,
 so that *Great Britain* and *Europe* might
 long have enjoyed the most confirmed
 Tranquillity.

With all the Advantages of this glo-
 rious and successful War, yet when we
 came to lay down our Arms, and dis-
 solve the *Grand Alliance*, we did not
 make such Provisions for the *Peace of*
Europe, as might have been expected
 from our Wisdom, and as all must al-
 low to have been in our Power. We
 made our Treaty with the *French*, with-
 out including the Emperor. We left
 the Emperor at *War with France*; and,
 what was full as bad, if not much

worse, his *Peace* was still to make with SPAIN. We left the Kingdom of *Sicily* in the Hands of the *Duke of Savoy*, a Prince who was distant from his new Dominions, and wanted Naval Power to maintain himself in the quiet Possession thereof. We therefore left the *Neutrality of Italy* still precarious, by exposing *Sicily* to Invasions from every Quarter; since in trusting it with a Prince remote from that Island, without Power to maintain his Possession, the *Spaniards* were every Day incited to break the *Peace of Europe*. We also, by that Treaty left the Succession to the *Dominions of Tuscany* open and unprovided for, on the Failure of Male Issue in the *Family de Medicis*, which every Man foresaw must happen on the Demise of the then *Great-Prince*, now *Great-Duke of Tuscany*. We likewise left the *British Crown* without Right to an Inch of Ground round the *Town of Gibraltar*, and were content to be imperiously refused when we asked it, though we might have commanded any Thing. Further, by the same *Treaty of Utrecht*, we left our Title to the *Island of Santa Lucia* still the Subject of Dispute, and admitted a dangerous Rival in the *Fishery of Newfoundland*. Nay,

the Ministers who carried on and governed the Negotiations at *Utrecht*, were so totally ignorant of this Affair of *Santa Lucia*, about which they have since attempted to raise so much Clamour, that they seem not to have known there was such an Island in the World, or else to have thought it not worth their Regard; for through the whole Treaty, it is not so much as once named, and if it is so much as intended it can only be in the *Tenth Article* of the *Treaty of Utrecht*, where we find this loose, general, and insignificant Provision, That the *Commissaries* who were to settle the Boundaries between the *French Colonies* and *HUDSON'S BAY*, shall also have Orders to describe and settle, in like Manner, the Boundaries between the *OTHER British and French Colonies IN THOSE PARTS*. So little was this mighty Matter at that Time thought of, or taken Care of. It would be endless to enumerate not only what we very ill provided for, but also what we left wholly unprovided for. What a miserable Condition did we leave the *British Merchants* in, by the *Treaty of Commerce* signed at *Utrecht*; how loosely were the Articles drawn, and how much neglected was every Branch of our Trade? In short,

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the *Merchants* were afraid to trade with *Spain*, till his late Majesty by degrees, as his Circumstances gave him Opportunity, concluded new Treaties in their Favour, and for their Security.

Such were the Deficiencies of the *Treaty Utrecht*. Some of the Instances above recited were absolutely essential to the *Peace* and *Liberty* of *Europe*: Others, such as *Gibraltar* and *Santa Lucia*, Stumbling-Blocks to make us uneasy at particular Times, as often as the Courts Abroad were out of Humour, and peevish. I chuse to pass over many odious, ignominious Parts of that fatal Treaty, whose Errors have occasioned much Trouble and Expence to restore the *Interests* of *Europe*. And if some few of the lesser Grievances of that unhappy Project are still unredressed, it may perhaps be from this Cause, that it was too much to hazard a National War on their Account *singly*. But what shall excuse that Administration, who, though they were at the Head of the *Grand Alliance*, and their Enemies prostrate at their Feet, yet left the Peace of *Great Britain* and of *Europe* imperfect and insecure, exposing us to endless Difficulties, by leaving so many Differences undetermined, so many probable Contingencies,

gencies, without any Care taken of them, and so many strong Temptations to divers Princes inducing them to break the Peace; which indeed of it self was unconcluded, whilst the *Emperor* was on no Terms of Agreement with *Spain*, as well as at open War with the Crown of *France*? In short, I will venture to affirm, and undertake to prove, that from this *baneful Treaty*, as from a Source of Strife and Disquiet, have flow'd the great Inconveniences and Quarrels of the last *Nineteen Years*. From the want of all Provision in some Cases, from the Incompetency of Provision in others, and from the wrong Dispositions which were made by that Treaty in too many Instances: From these Causes, and no others in the World, have our Grievances been produced, and the Repose of so many Nations often alarmed, frequently interrupted.

For, if we review the whole Course of Affairs since the *Treaty of Utrecht*, to what else can we ascribe the Jarrings and Contentions of *Europe*? What occasioned the long Disagreement between the *Emperor* and *Spain*, but the Treaty of *Utrecht*, which might have made them Friends, yet left them wholly unreconciled? What occasioned the *Spanish*

nish Descent on Sardinia, and the War in Sicily, but this Failure in the Treaty of Utrecht? What was the Quadruple Alliance made for, and the subsequent Congress at Cambray convened for, but to reconcile those Differences which the Mediators in the Treaty of Utrecht might have determined, yet left undetermined? Was not the First Treaty of Vienna, which gave so much Disturbance, and threatned so much Mischief, a Consequence which certainly resulted from the Treaty of Utrecht; and which however remote, could never have happened if the Treaty of Utrecht had settled the Interests of Spain and the House of Austria, instead of leaving them, as they were left, without any Regulations, wholly subject to Chance and Time? What Difference could the British Nation have possibly had with Spain, if the Treaty of Utrecht had not left Spain and the House of Austria at Variance, whose Interests naturally affected ours, and whose Quarrels unavoidably involved this Kingdom in the Dispute? All these Differences were most easy to be accommodated, all these Quarrels and Hostilities might have been prevented, almost beyond the Possibility of ever happening, had we been hearty
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in the Work whilst the Sword was in our Hands, whilst we were at the Head of the Confederate Arms, and *Spain* as well as *France* glad to make Peace on any Terms with the *Emperor*, or with any Power, for the sake of making Peace with *Great Britain*. But by a shameful, an accursed *Separate Treaty*, we excluded and deserted the *Emperor*, we left him unreconciled both with *France* and *Spain*; after all, finding ourselves obliged to return to the great Work of reconciling them, without the Means which we had in our Hands when we might and ought to have done it. If succeeding Ministers found Difficulties, seemingly insuperable, to attend this Work, and if they were very long before they could entirely effect it; all must agree *their* Hardship to have been great, as they were charged with the Redress of their Predecessors Errors, without the Advantages, and without the Power which their Predecessors largely possessed, and scandalously neglected. If then all these great Interests were thus *fatally* and *foolishly* neglected by those Ministers who ought to have taken Care of them, in the only Season too when they could be properly taken care of: If such great

Powers were thus left unreconciled by the *Treaty of Utrecht*, such important Interests unsettled, so many expected Events unprovided for, and so many material Points altogether undetermined: How was it possible that *Europe* could reasonably hope for, or could long enjoy Tranquillity? How could such Circumstances tend to preserve the World in Peace, or such a Treaty ever secure the Ends which our wise Negotiators pretended to obtain, which the *Interests of Europe* required, and which the amazing Success of the War so justly entitled us to?

Having thus shewn what Prospect *Europe* had of Peace at these two memorable Periods, the End of *King William's* Reign, and the End of *Queen Anne's* Reign, we come with better Advantage to consider the Hopes of Tranquillity which we have at present: And these, I have the just Satisfaction to observe, are built on much stronger Foundations than ever were laid before this Time by any Treaty or Alliance, or by any Concurrence of Incidents within these forty Years past.

We see the Crowns of *Great Britain* and *France*, mutually disposed to live in perfect Amity, and reciprocally employing

ploying themselves in all the Offices of Friendship to each other. We saw the last Summer, when the Enemies of Peace were labouring to create Jealousies and Distrusts between the two Courts, that the *French* shewed the Sincerity of their Desires to join the *British* Ministers in every thing that might improve true Harmony between *Great Britain* and *France*. In Consequence of which, the *French* gave new Orders for demolishing the least Attempts which could have been made towards repairing *Dunkirk*, and likewise caused their Subjects to Evacuate *Santa Lucia* entirely. So that those who have charged us with having dealt unfairly and unfaithfully with the *French*, have the Mortification to find, that they make Complaints FOR the *French*, which never were made BY the *French*; and that notwithstanding this unjust Pretence, this scandalous Charge of having broke our Treaties by the last *Treaty of Vienna*, that very Nation against whom this was so falsely alledged to have been committed, acquiesce in the Compact said to have betrayed them, rely upon our Faith suggested to have been violated by us, and willingly continue upon the Footing of

those Treaties, from which some would have it thought that we have departed to the Prejudice of *France*.

We see the *Emperor* at the same time in cordial Friendship with his Majesty, perfectly easy in all his Affairs with *France*, at no sort of Variance with *Spain*, but on the contrary their valuable Friend and Ally, as absolutely necessary to support the Succession granted to *Don Carlos* in *Italy*. We see the *Imperial Succession*, on Failure of the Male Line in the *House of Austria*, settled in a Manner perfectly consistent with the *Safety* and to the *Satisfaction* of *Europe*: Provision having been made by a *private Article* in the last *Treaty of Vienna*, That if the *Archduchesses* marry in such a Manner as to aggrandize any of the *Great Powers*, or to hazard the *Balance of Europe*, the *Guaranty* shall be void. We know that on account of this Succession thus established by our Aid and Concurrence, the *Imperial Court* must always be sincerely allied with *Great Britain*, from the Nature and Terms of our *Guaranty* and Support. We likewise see, from the same Settlement, that there was certain Truth in the Information from Authority published a few Years ago, that an *Infante of Spain*

Spain was designed by the *Spanish Court* to have been disposed of in Marriage with the *Eldest Caroline Archdutchess*; because the *Spanish Court* readily guaranteed the *Pragmatick Sanction*, or the Settlement of Succession to the *Austrian Hereditary Countries*, when they hoped that it would operate in Favour of a Prince of their Blood, whereas they now decline the Renewal of that Guarantee; and though they are not any ways averse, yet are become wholly indifferent to it, since they have no longer Hopes of that Kind; and actually see that this *Pragmatick Sanction* is to operate in another Manner.

We further see the *Dutch* our ancient and faithful Allies acceding to our Treaties, and concurring in the same Guaranty of the *Pragmatick Sanction*; which shews how false, ill-grounded and insolent the Assertions of some Persons were, who, in the Beginning of this Session of Parliament, charged the *King their Sovereign* with having imposed on his People; for that his Majesty did, at the End of last Session, declare from the Throne his Assurance *that the Dutch would accede to this Guaranty*. They have acceded; and yet it was presumptuously made a *false Declaration* from the

the Throne to say *that they would accede.* To the same Guaranty the *Crown of Spain* formerly, and the *Diet of the Empire* since, have respectively acceded. *France*, with Relation to the *Low Countries*, consented in the *Treaty of Baden*. And all the *Princes of Europe*, whether they guarantee the Settlement, or remain Neuter, all agree that it is for the *Interest of Europe*, and the universal Intention of her Powers, that the *Austrian Hereditary Countries* ought to remain *indivisibly united*. This Settlement hath been sworn to by all the *Collateral Branches* of that Family; who have by Oath, as well as *Compact*, renounced their respective Claims which interfere with this *Order of Succession*. And if it be observed, that *Great Britain* and the *States General* are the only Powers who immediately act in Favour of the *Pragmatic Sanction*; let it be answered, that the *Emperor* is content with this, he wants no other Aid: He desires no stronger Guaranty. It shews the Reputation of our Faith and of our Power. If none other act immediately for him, yet there are none at all who act against him: And even if there were any Princes disposed to act against him, yet let it be remembered that this Conjunction of the
British

British Nation, the House of Austria, and the States General; is the same *Grand Alliance* whose former Union made the World tremble, and whose Power in War is so well known, that the *Peace of Europe* wants no better Protection.

Lastly, Let us turn our Eyes to *Spain* and *Italy*; the latter settled in Peace, and the former greatly obliged by that very Settlement; a *Prince of Spain* peaceably introduced into *Tuscany* with the Consent of all Parties under the Protection of *Great Britain, the States General, and the Emperor*, invested likewise with the *Dutchy of Parma*, and received in *Tuscany* as next in Succession to the reigning *Great Duke*. Thus no Disputes remain concerning *Italy*; whilst at the same Time the *Court of Spain* is from this very Settlement of *Italy*, obliged to live in perfect Friendship with the *British* and *Imperial* Courts. *Spain* must of natural Choice preserve a good Understanding with them, if it were only for the Sake of that Succession which the *Spanish Court* have always had so much at Heart, which they have laboured many Years to effect at the Expence of all their other Interests, and which they cannot be easily tempted to risque, or forfeit, in disobliging

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those Powers by whom it was settled, and on whom it depends.

This is the present Situation of our Affairs, and no Time could ever produce one more promising of *lasting Peace*. If human Happiness could be permanent, no Combination of Circumstances ever seemed more likely to fix our Felicity; and though we do not flatter ourselves with more than can be expected from the Nature of Things, yet we see no Cause from present Appearances, or from common Foresight of future Events, to doubt that *Europe* will enjoy Tranquillity for a long Time to come; which, with regard to our own Country, is the brightest Glory that can adorn this Reign, as it is the greatest Good that can attend this Nation.

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be read by every *Englishman* who
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To * * * * * Esq;

S I R,

THOUGH you have often made me
strong Professions of Friendship, and
expressed a generous Concern for my
Sufferings, yet for certain Reasons I
shall not prefix your *Name* at Length to the fol-
lowing Account of some *Facts*, which I conceive
it proper every *Englishman* should be made ac-
quainted with, that he may judge how far he is
secure in his *Liberty* and *Property*, against any
Attempt which may be made upon them by any
Person whatever, who is his Fellow-Subject.

B

I

I HAD formerly some Inclination to have been a Member of your House, and humbly hope, that my Birth, my Fortune, and Education, made this my Ambition not an unwarrantable one. I was firmly persuaded, that I could have done my Country an important Piece of Service, by improving a certain Branch of her Commerce to such a Degree, as would have gained her at least *half a Million* yearly. I venture to speak a little positively on this Head, because what I had to propose was approved by the late Earl of *Hallifax*, and would have been executed, had that able Minister lived; who understood Trade better than any Man of Quality in *Great Britain*. To render to his Memory what is justly due to it, I must frankly own, that he first gave me the *noble Hint*; which I had afterwards some very particular Opportunities of working upon, and (I think) of improving.

A CERTAIN *Great Man*, now living, who is said to have made many a Member of Parliament, thought me once so well qualified to be one, that he assured me, in the most solemn Manner, I should be the very first Man in *England* he would bring into your House. When for some Reasons, which I could never yet persuade this *Honourable Person* to tell me, he thought proper to break the solemn Promise he had made me, I resolved to try what I could do for myself. To be plain, Sir, I took the Method which I am afraid too many Gentlemen of late Years have been obliged to take, when they offer their Service to a Burrough; a Method which I am far from thinking right in itself, and which I sincerely hope the late excellent Bill against *Bribery and Corruption*

ruption will put an End to. My several Attempts to get into the House, cost me between *four and five thousand Pounds*. I had once taken off all Opposition; and must have infallibly succeeded more than once, if there had not been the most extraordinary Methods made use of to oppose me. In short, from what I know, and have seen, I am at present fully convinced, that if I should stand for any Burrough in *England*, and *fifty thousand Pounds* would keep me out, that Sum (monstrous as it is) would be laid out to oppose me.

I SHALL not here endeavour to determine, whether, or no, it was resolved to ruin me, that I might be incapable ever to sit in an House of Commons; but the Manner in which I have been ruined, has been thus:

I HAVE been forced into a great Number of Law-Suits, which Nothing I could do or offer was able to avoid. These Law-Suits have been carried on against me, under the Names of Persons who are notoriously known to be worth *Nothing*; who are notoriously known to be incapable of raising such a Sum of Money as has been spent against me under their Names in one single *Term*. When by these Means I have been forced, much against my Will, into Courts of Justice, I have been treated there, however it has happened, with more Severity than ever any *Englishman* was before in the same Circumstances with myself. In short, Nothing is more plain and demonstrable, than that my Adversaries must have been supported by a powerful Purse. I will not take upon me to affirm, who the Man is that has supported them, nor with what De-

sign he has done so : Thus much I cannot help saying, That if it is a *certain Person*, (whom I have Reasons, strong Reasons to believe it is,) I could convince the World, that there is not this Day upon Earth, a Man who can excel him, either in Cruelty or Ingratitude.

THOUGH I have been often challenged, and provoked in the most abusive Language by a certain Set of Writers, to enter into some of the Particulars of those Hardships I complained of, I have hitherto remained silent. I was apprehensive, that they were flinging out a Bait on Purpose for me, with which, if I had been taken, their Patron himself, either in his *own Name*, or the Name of some *other Person*, would have endeavoured to get my just Defence *interpreted* into a *Libel*, and have added to the Weight of all those *tender Mercies*, of which I have already so plentifully tasted. I am, perhaps, at last falling into the mean and wicked Snare, which has been long laid for me ; but be that as it will, a certain *Accident* has determined me to lay before my Country, at least some few Particulars of the Usage I have met with.

THE Accident I mean was thus :

I HAD not long since the Happiness to pass an Evening with an old Acquaintance, who is at present an Ornament to the Profession of the *Law*. Our Discourse happened at last to fall upon my Misfortunes, of which I gave him some Account. When he had heard me, with a good deal of Attention, he broke out, as nearly as I can remember, into the following Words ; *You have told me such Things, as I could never have believed, had I heard them from any other*

other Person. I do believe what you say, because I knew your Family, your Education, and have now been acquainted with you for so many Years; but you may depend upon it, that if you should happen to die, some Things which you have told me are so Horrid! so monstrously Wicked! that no Man will ever believe you could be oppressed and treated in such a Manner, as I am now fully satisfied you have really been.

I HAVE often reflected upon my old Friend's Words: I believe he is right; I believe I have suffered such Things, as no Body would credit, if I was not in a Condition to prove what I assert. I do not take myself to be a long-lived Man; and if I die under any of those Disorders I have lately contracted, I take myself to be as much murdered by that Man, whoever he is, who has been the Cause of the cruel Usage I have received, as if he had actually procured me to be assassinated. If in the next World there is an Inquisition for Blood, I am fully persuaded my Innocent Blood will rest upon him and his Family. My Hopes and Belief that the Matters of Fact which I shall lay before you, may give you, or some other Patriot, an Hint for the better securing the Liberties and Properties of your Fellow-Subjects, have chiefly determined me to write this Letter.

BUT another Reason for my applying to you is, That I have not only been most infamously Robbed of such Papers as concern my Private Affairs, but of others which might have been of Service to the Publick, some of which I had fully determined to have laid before Your House, and which, I shall venture to say, contain some Particulars,

ticulars, well worth the Perusal of the Representatives of their Country.

I BELIEVE no Man in *England* had very lately so valuable a Collection as my self of *Original Letters* from some of the greatest Persons this Age has produced, and upon Subjects of the most *delicate Nature*. I had a considerable Number of Letters all wrote by the late King *William*, with his *own Hand*; a great many Letters of the late Lord *Sommers's*, the late Earl of *Hallifax's*, the late Marquis of *Wharton's*, the two last Great Earls of *Sunderland*, the late Lord *Stanhope's*, the late Lord *Oxford's*, the late Mr. *Addison's*, the late Lord *Bolingbroke's*, and the present Sir ROBERT WALPOLE's; with several others. How I came by these Letters, it is not at present necessary to mention: I shall only assure you, that I spared neither *Cost* nor *Pains* to make the Collection. I have been robbed of a great Number of these Letters, which might have been made both useful and amusing to the Publick: Some of them by good Fortune I have preserved; and these, if I can keep them, may perhaps see the Light at a proper Time, and with a proper Explanation.

I HOPE none of my Countrymen will be so *weak* as to imagine, they are no ways concerned in the Contents of the following Sheets, because they chiefly relate to such Oppressions as I have suffered: No Man can tell how soon *my* Case may come to be his *own*. And however *worthless* I am, the same Methods which have been taken to ruin *me* (if they pass *Uncensured*, and *Unexposed*) may one Day be employed to destroy the *Best* and most *Valuable* Men in *Great Britain*.

THAT

THAT wise and generous People, the ancient *Romans*, were so jealous of the *Least* Attempts upon their *Liberties* and *Properties*, that whenever they saw one of their Fellow-Citizens oppressed in an extraordinary Manner, they immediately made his Case *their own*, and resented the Injuries he had suffered, just as much as if it had been offered to *themselves*.

Tarquin the Proud, lost his Crown, and the Name of a King, became odious to the *Romans*, for an Injury done by his Son to a Private Citizen of *Rome*.

Appius the Decemvir, after he had long played the Tyrant in his high Post, lost both that and his Life together, for making an Attempt on the Property of one *Virginus*, a poor *Plebeian*, from whom he endeavoured to take his Child.

THE Fate of this *Appius* was so very remarkable, that I shall give my Readers a short Account of it.

Appius was a Senator of *Rome*: He was a bold and confident Speaker; and as he wanted neither *Words*, nor *Assurance*, was always one of the *foremost* to give his Opinion in the Senate; so that at last, he became a *leading Member* in that Assembly. His many plausible Harangues in the Defence of *Liberty*, gave the People so good an Opinion of him, that by their Votes they made him Head of the College of *Decemvirs*, or, in other Words, the *First Minister*, and *Chief Magistrate* of the Commonwealth. For some little Time he made a *Modest* Use of his Power, affected the most popular Behaviour, and was ready to procure *speedy Justice* for the meanest *Plebeian*; till having formed a
Party

Party, and convinced them that it should be their Interest to stand by him on all Occasions, and against all Opposition, he acted like a most wicked abandoned Tyrant, and as the Head of those Conspirators, who for their *own Interests* had resolved to destroy the *Publick Liberty*. He still kept up, indeed, the *Form*, and the solemn Appearance of *Justice*; but this was nothing more than acting a *Farce*, to delude the Vulgar. The Magistrates before whom all *Causes* were heard, were the *Creatures* of *Appius*, owed their Preferment to him, and feared his Frown. So that though Appearances were saved, and some plausible Reasons often given for their Determinations, yet every Man who came before them was sure to lose or gain his *Cause*, as he was known to be more or less engaged in the Interests of *Appius*.

“ FAVOUR and SELF-INTEREST (says the
 “ Abbot *Vertot*) sat in the Place of LAW and
 “ JUSTICE: *Appius* and his *Associates* employed
 “ their whole *Power* and *Interest* to revenge
 “ themselves upon their *Private Enemies*; and
 “ reckoned all Men to be such, who would not
 “ tamely submit to be their *Slaves*.”

THE chief and fastest Friends of *Appius*, were at first a profligate Part of the *Nobility*: At the Expence of the Publick, he supplied these *necessitous Patricians* with the Means to support their *Pride* and *Luxury*. His *Power* at last grew so great, and seemed to be so firmly established, that several Senators, who had till now preserved a tolerable Reputation, and were once thought to have been much above so base a Compliance, condescended to become his *Creatures*, and to be employed in his most *Dirty*
Jobs.

Jobbs. Among these was *Lucius Cornelius*, a Man *subtle* and *eloquent*, who, in reality, cared for nothing but his *Interest*, but was able to lay the *fairest Colours* upon the *blackest Villainies*. Even those Senators who disdained to join in the Measures of *Appius*, dreaded his Power. Unable to bear the Sight of what was daily done in *Rome*, and despairing to see a *Change*, they threw up the Care of Publick Affairs, and, with broken Hearts, either retired to their Country Houses, or went and settled among the *Latines* and *Hernici*. The People of *Rome* saw too late into how wretched a Degree of *Slavery* they were fallen, but knew not how to help themselves. *Appius* had all the Appearances of a *Legal* Authority on his Side. He was the *first Minister* in the Commonwealth, and possessed of a Post, conferred upon him by their own Votes, which gave him a Power of enriching or destroying almost whom he pleased. He knew himself hated by every good and virtuous Man; and therefore dreaded a *War*, which would have obliged him to put *Arms* into the Hands of the *People*. Though *Rome* was harrassed and insulted on all Sides by her Enemies, he raised no other Forces than a *Body of Troops*, entirely devoted to himself, with which he garrisoned the Capitol, and kept the *City* in awe. He introduced a luxurious Way of Living, unknown to the *Romans* till this time. The Citizens of moderate Fortunes, who had *now* more Occasions for Money than ever, and no Supplies from any *Foreign Conquests*, as they had before, soon lay at the Mercy of their Creditors. The publick Prisons be-

came so thronged with unhappy *Debtors*, that *Appius* was forced to build *New Dungeons*. In the mean time, he himself swept the Streets of *Rome* with a numerous Train of mercenary Dependents: He lived in *Luxury* and *Feasting*; and in the midst of a Banquet, among his own Creatures, by way of *Jest* on those unhappy Men whom he had forced to plunge themselves into *Debt*, would often, with a barbarous Irony, call the *New Dungeons* he had built, *The Houses and Abodes of the Romans*.

THOSE Nations who had hitherto submitted to the *Roman Power*, despised now the Orders that were sent them, and scorned to acknowledge a People for their *Masters*, who were themselves become the *Slaves* of their Fellow-Citizen. The *Æqui*, the *Sabines*, and the *Latines*, made Incursions with Impunity quite up to the very Gates of *Rome*. The People looked upon these Insults with great Indifference and Unconcern: Whenever they talked with Freedom to one another, they declared, That if they must be *Slaves*, it was of no manner of Consequence who were their *Masters*. Some of them made no Scruple to affirm, That of the two, they would rather chuse to live under the Government of the *Sabines*, than the Administration of *Appius*. The Enemies to the *Roman State* proceeded at last to such unparalleled Insults, that the City daily expected a Siege, and *Appius* found it absolutely necessary for him to raise an Army: He enrolled the People, and obliged them to take the Field, under the Command of such Leaders as he had placed over them. The *Roman Army*, when they came to engage their Enemies,

Enemies, instead of exerting their wanted Courage, suffered themselves to be defeated. They dreaded nothing so much as obtaining a *Victory*, which they imagined might give some Credit to the *Measures* of *Appius*, and confirm him in his *Administration*. The News of their *Defeat* was received by the People at *Rome* with much more Joy, than they usually expressed upon the Tidings of a *Victory*. To this miserable Condition was the Commonwealth reduced by one Man's insatiable Thirst after *Power* and *Riches*. At last, his making a base Attempt upon the *Property* of a poor *Plebeian*, named *Virginus*, put an End to his Tyranny. *Appius*, to please his Letchery, had a mind to deprive this Man of his Daughter, a Girl of fourteen Years of Age : He durst not take the Child from her Father by Force ; and therefore resolved to execute his Design by the Help of that *Mask*, under which the greatest Villainies the World ever yet saw have been committed. He resolved to rob *Virginus* of his Child under the formal and plausible Pretence of executing *publick Justice* : He got one *Claudius* to set up a *legal Title* to the poor Girl, and bring an *Action* against *Virginus* for his Child. By the Laws of *Rome*, the Children of all *Slaves* belonged to their *Masters*. *Claudius* affirmed That this Girl was born in his House, and was the Child of one of his Female Slaves, who stole her from him ; and to conceal her Theft, pretended to be delivered of a dead Child : That he had discovered she sold this Girl to the Wife of *Virginus*, who being barren, and uneasy at having no Child, had made her pass for her own Daughter.

He added, That he could prove every Particular which he asserted by undeniable Testimonies. *Claudius* had, in Fact, got Witnesses ready to swear what he bid them; and among the rest, one of his Female Slaves, who was to confess, that she was the true Mother of *Virginus's* Daughter. This *Law-Suit* made a good deal of Noise in *Rome*: *Appius* had the consummate Impudence and Hypocrisy, to pretend to act in Favour of the *Defendant Virginus*. He obliged *Claudius* the *Plaintiff* to give up some Points before the Trial, which he confessed in Strictness of Law, he had a Right to insist upon. At last the Cause was brought to a solemn and publick Hearing in the open *Forum*. After all the Witnesses on either Side had been fully examined, *Judgment* was pronounced with the utmost *Formality*, and in a *Set Speech* from the Tribunal of *Justice*, it was declared, upon the whole, That the *Plaintiff* in the Action had a *legal* and undoubted Right to the Girl in Dispute: *Claudius* gained his Cause, and *Virginus* lost his Daughter.* The People, however, were not quite so blind and stupid, as not to perceive, that *Claudius* could hardly have carried Things in the *Manner* he did, if he had not been supported by some powerful *Interest*: They even suspected from some *Circumstances*, that no less a Man than *Appius* himself was at the Bottom of the Business; and were highly enraged to think that they had been mocked and imposed upon by

* It would have made the Story too long, and perhaps too moving, to have entered into the Particulars of *Virginus's* Death.

by the specious Appearance of *publick Justice*. Every Man made the Case of poor *Virginus* his own ; and lost all Patience, when he reflected, that those very *Laws*, which it was pretended were designed to *secure* his *Property*, were made the Instruments to *destroy* it.

IN short, the whole City was in a Tumult : The *Romans* had an Army in the Field ; the Camp was but four Miles from the City : *Virginus* flew thither, and with a Sort of *Eloquence*, with which his *Grief* furnished him, laid his Case before the Soldiers. Those brave Fellows, though they had been raised and subsisted by the wicked *Appius*, immediately remembered they were all *Romans* ; and upon this generous Principle, resolved to procure *Justice* for their Fellow-Citizen : They tore up their Ensigns from the Ground, and leaving those Officers which had been placed over them by *Appius*, marched directly towards *Rome* with their own Centurions, and *Virginus* at their Head. The News of their March, and the Occasion of it, flew before them to the City ; and never was an Army received with the like Joy, when they came back from the most glorious Victory : All the Streets and Buildings of *Rome* were filled with its Inhabitants, to see the Soldiers pass along ; while nothing was heard, but Shouts and Exclamations of *Down with the Tyrant, Down with the wicked Appius: Let us be no longer Slaves ; Let us remember that we are Romans.* The Soldiers, with a *Discipline* and *Moderation* which cannot be too much admir'd, marched through the City without offering the least Violence to any Man, or once stirring from their Ranks,

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though

though they often joined in the Acclamations of the People : They encamped upon Mount *Aventine*, and from thence sent Word to *Appius*, that *it was expected he should lay down his Office*. The Senate was immediately convened. *Appius* by disposing of *Places* and *Money* in a proper Manner, had hitherto constantly secured a *Majority* in that Assembly ; but the Crime of which he was now accused appearing too monstrous to be defended, many of his old Friends left him ; so that the *Senate*, as well as the *Army* and the *People*, insisted upon it, That he should lay down that *Post* which had hitherto screened all his Actions from being enquired into ; and that he should answer as a *Private Man* to what could be objected against him. He found now that all Resistance would signify nothing ; and the *Romans* with infinite Pleasure, saw him come into the *Forum*, and *publickly* resign his *Post*. He was no sooner divested of his *Power*, than he was *accused*, and brought to his *Trial* by *Virginius*. It was proved upon him, even to a Demonstration, that he was at the Bottom of the *Action* which was brought against that unhappy *Plebeian*. *Claudius* confessed, That in all his Proceedings he had been advised and *supported* by *Appius*, and had only lent his *Name* to *screen* and cover that wicked *Minister*. In short *Appius* suffered *Death*, a Punishment due to an hundred several Crimes which he had committed while he was in *Power*, and could command the publick *Treasury*. The most notorious Accomplices of his wicked Administration were soon after brought to their several *Trials*, and either put to Death, or banished. The Estates they

they had acquired by Rapine and Corruption, were all confiscated, and publickly sold. The Produce of them was put by the Questors into the *Publick Treasury*. Thus *Rome* recover'd her Liberty. The Joy of the People at this sudden and unexpected *Change of Affairs* can hardly be expressed ; it was too big for Utterance. Nothing was more common than to see two generous *Romans* meet in the *Forum*, run into each other's Arms, shed a Shower of Tears, and part again without being able to speak a Word.

THE People of *Rome* now sent out their Armies against their victorious Enemies ; and soon convinced all their Neighbours, That though they disdained to conquer while they thought a Victory would have confirmed *Appius* in his *Administration*, and their own *Slavery*, yet that when once they were in the full Possession of Things worth defending, viz. of *Liberty* and *Property*, they were not to be conquered. In a Word, the Arms of *Rome* were every where victorious, till at last she became the Mistress of the World.

I HAVE told this Story to no other End, than to shew after what Manner the *Roman* Senate, People, and Army, thought proper to resent the Injustice done to a poor *Plebeian*, their Fellow-Citizen. To this their extream Jealousy of having the least Encroachment made on the *Property* of any private Man, was plainly owing the Preservation of their *Liberties* ; and that all Foreigners came to esteem it so high a Favour to be admitted into the Number of *Roman* Citizens.

IF any Nation upon Earth ought to dread the having a bad *Precedent* made in a Case of *Liberty* and *Property*, I am humbly of Opinion, that the *English* more especially ought to do so. To speak plainly, I am afraid that our Proceedings at *Law* have been often too much influenced by one bad *Precedent*; and that a *Judge* and *Jury* have thought it a sufficient Defence of very extraordinary Actions, if they could but prove that something of the like kind (which passed uncensured) was done before in a Case of the same Nature.

I BELIEVE it might be shewn, that the Proceedings against a poor Wretch; whom no body thought worth minding, or worth defending, have been afterwards quoted and taken for *Law*, in the Cases of People of a much higher Rank, and who once imagined themselves not at all concerned at whatever became of him.

FROM this *Digression*, I proceed to give some Account of my Sufferings.

THE several Methods taken to oppress me, and the *Law-Suits* which have been stirred up against me, are almost numberless; but I resolve to confine my self in the following Sheets to the Usage I have met with from a certain Pair of Brothers; and to such Proceedings only as have been carried on against me under their Names.

I CONCEIVE I have an undoubted Right to lay the Behaviour of these two Brethren before the World, since the youngest of them, the Clergyman, thought proper to fall upon me first in the Publick News Papers, and to appear as the Champion both for himself and his Brother.

I WOULD

I WOULD not willingly do this Gentleman the least Wrong ; and I shall therefore be so *just* to him, as to let the Publick see whatever he has thought proper to say in the Defence either of his Brother or himself.

IN the *Appendix* to my Book, intituled, *A Letter to the King of Sparta*, (which has made some Noise in the World,) that I might clear my self from the Character Mr. *Walsingham* had given me of a litigious Man, and shew my Readers in what Manner I had *Law-Suits* forced upon me, I thought proper to print the Case between the Reverend Mr. *William Piers* and me. I did nothing more than barely print the *State of my Case*, as I had given it in long before to the most Honourable the *House of Lords*. My *Letter to the King of Sparta* drew the whole Band of *Mercenaries* upon me: The great Mr. *Ulrick D'Ypres* himself appeared at their Head, and led them on. But this little Army not gaining so compleat a Victory as their Patron probably expected from them, the Reverend Mr. *William Piers* was persuaded to mount the Stage, or at least to suffer his Name to be put to what Mr. *Walsingham* wrote for him. I am well assured, and the Reader will easily see, that the *first* Letter in the following Collection, was not wrote by the Reverend Mr. *Piers*: The *second* Letter, to which his Name is put, seems to have been wrote by *him* and his *Associate* together. But in his *two last Letters*, his Help-mate (who perhaps began to grow weary of his Company) has fairly left the Reverend and Charitable Divine to shift for himself. I am pretty well acquainted with his Stile, and am fully convinced that those two Letters are entirely his own.

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ABOUT

ABOUT *eight Months* after the Publication of my *Letter to the King of Sparta*, the following Epistle first appeared in several News-Papers. I have taken it from the *Daily Post* of *June 12. 1731.*

To the Author of the Daily Post.

S I R,

“THE Remoteness of my *Abode*, my Advancement in *Years*, and my general Unconcern about *Controversial Points*, have been the Occasion of this tardy Endeavour to *undeceive the World*, and do *Justice to myself*.

“IT is but lately a *Book* has fallen into my Hands, entitled, *A Letter to Cleomenes King of Sparta*, written by *Eustace Budgell Esq;* As the Concerns which my *ill Fate* has drawn me into with this *Gentleman*, induced me to a Perusal of this *notable Piece*, I could not but, with extraordinary Attention and Surprise, remark that Part of it which he calls *A True State of his Case*; and as I am, perhaps, the *Only Person* capable of detecting the *Falshoods* and *Prevarications* contained therein, I think myself obliged to give some Answer to it.

“To set forth a *just Representation* of his *Case*, I should be forced to state it over again; but this I at present forbear, being convinced, that a *Law-Case*, stated in all its Circumstances, and clear’d, as *Truth* requires, from all the *Fucus* of *Oratory*, would be tedious, dry,

“ dry, and unprofitable to the *Reader*. Nor
“ am I yet sensible, that Mr. *Budgell* is of Im-
“ portance enough to interest the *World* in his
“ *private* Affairs. I have been inform’d, in-
“ deed, that he has endeavour’d to make him-
“ self considerable at *Court*: But his Behaviour
“ was so far from answering his Aim, that he
“ drew on himself the *Imputation* of a *Disorder* ;
“ which, if true, would be the *best Apology* he
“ can make for his *Deviation from Truth*.

“ Perhaps then it may be sufficient at this
“ Time to declare, That *All the Facts* contain’d
“ in *his Case* (on which he founds the *Injuries* he
“ so highly complains of) are either *utterly false*,
“ or so *gloss’d* and *misrepresented*, as to bear little
“ Relation to *Truth*. There cannot be a more
“ *flagrant Instance* of his *slender Regard* to *Vera-*
“ *city* and *Honour*, than that *false and malicious*
“ *Insinuation* of my being assisted by some rich and
“ *powerful Person* (whom he frequently styles
“ his *Majesty’s Hero*) to ruin him. Whoever is
“ meant by this *Sarcastical Title*, is not my Bu-
“ siness to determine, though the *Conjecture* is
“ easy ; but I declare the *Justice of my Cause* is
“ my only Support.

“ THIS *General Reply* to Mr. *Budgell’s* va-
“ rious Charges, is more, perhaps, than the
“ *World* is concern’d to know ; the *particular*
“ *Circumstances* of which (if his *Obstinacy*
“ makes it requisite) will be best submitted to a
“ *Court of Judicature* to decide. But if this
“ *Gentleman’s Infatuation* should so far delude
“ his *Judgment*, as to prompt him to call on
“ me for a *Proof of Particulars*, I shall then be
“ obliged to shew him to the *World* in his pro-

“ *per Colouring*; in which I shall observe a Con-
 “ duct contrary to his, as believing *Justice* is
 “ better distinguish’d by the *Simplicity of Truth*,
 “ than *Oratorical Embellishments*.

“ In the mean Time, Sir, I desire you would
 “ give this *Letter* a Place in your *Paper*; and
 “ that Mr. *Budgell* may know it comes from one
 “ who scorns to stab in the Dark, or assert what
 “ he is not able and ready to make good, I
 “ shall conquer my Aversion to *appearing in*
 “ *Publick*, and subscribe my Name,”

N. Cadbury, May
 26. 1731.

WILLIAM PIERCE.

I SHOULD have taken no Notice of this Letter, had not I been told by that excellent Person, the late Earl of Orrery, who did me the Honour to call himself my *Friend*, That though I was in the Right to despise the common Herd of Scribblers, who never put their Names to what they wrote, and who were well known to be hired and paid for publishing Falshoods, and abusing the most valuable Men; yet that he thought the Case was very different, when an ancient *Clergyman* appeared against me with so much seeming Solemnity, and set his *Name* to what he asserted. His Lordship was pleased to add, That though he was himself fully satisfied how much I had been injured, yet that he could wish my Reputation stood as clear as possible with the Publick, that I might be the better enabled one Day to do my Country a substantial Piece of Service; and that he believed my greatest Enemies upon this Occasion, would hardly have the

Assurance

Assurance to prosecute me for a *Libel*. These Reasons coming from so great and wise a Man, determined me to publish the following Answer to the preceding Letter.

To the Author of Fog's Journal.

S I R,

“ I HAVE, upon several Accounts, been
 “ under some Doubt, whether I should take
 “ any Notice of a Letter signed *William Piers*,
 “ of which I am the Subject, and which was
 “ published about ten Days since in several
 “ News-Papers.

“ I am at last determined to say what follows in Answer to it.

“ I am as fully satisfied, as of any one Proposition in the Mathematicks, that this Letter was not composed by the Reverend Mr. *William Peirs*, who is an ancient Clergyman, and Rector of *North Cadbury* in *Somersetshire*. I know that Gentleman perfectly well; I, and many other People, do very well know his *most particular Stile*, and Way of Writing. Let any Man, who has but common Sense, read the Letter I am speaking of, and he will immediately see in *whose* Vindication the *notable Piece* was plainly drawn up; he will presently perceive whereabout the Shoe pinched, and may consequently be satisfied from what Quarter this Epistle did most certainly come.

“ BUT though all who know the Reverend Mr. *William Piers*, do very well know that he is the furthest in the World from an *active* Man, yet, since 'tis pretty plain he is extremely

“ tremely *passive*, I shall say something to a
 “ Letter to which I do believe he has permitted
 “ his *Name* to be tacked.

“ It is certain I have had the Misfortune to
 “ be engaged in several Law-Suits, which have
 “ been commenced and carried on against me in
 “ the *Name* of this Gentleman ; it is as certain,
 “ that I have done all a Man could do ; that I
 “ have offered every Thing a Man could offer,
 “ who loved *Peace*, and would avoid *vexatious*
 “ *Suits*.

“ THE only real Dispute between this Gen-
 “ tleman and me, is for a small Copyhold
 “ Estate. Our Titles depend upon one plain
 “ *Fact*, which neither of us do or can deny. I
 “ have constantly proposed, I have even begg’d
 “ and intreated him, that we might lay our re-
 “ spective Titles before some learned and indif-
 “ ferent Council, and be finally determined by
 “ his or their Opinion. I do now openly make
 “ him the same Request ; I conjure him, as he
 “ is a Christian, and a Clergyman, to comply
 “ with this Proposal ; I hope I may call it a
 “ *fair* and an *honest* one.

“ I AM of Opinion, that the Title to an
 “ Estate, depending upon one uncontested Fact,
 “ is much more likely to be *fairly* determined
 “ by one or two eminent Council, at their
 “ Chambers, who can take what *Time* and what
 “ *Assistance* they please, than by a *Publick*
 “ *Trial*.

“ I HAVE heard, that at a *Publick Trial*,
 “ the Treachery or Carelessness of one Attorney,
 “ the Knavery of another, a biased JURY, or
 “ *Something* else which I could name, have of-

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“ ten occasioned the Loss of the *justest Cause*,
 “ and the Destruction of the most *innocent*
 “ Man.

“ IF Mr. *Piers*, as he has hitherto done, re-
 “ fuses to comply with the Offer I make him, I
 “ must submit it to the Publick, whether it is
 “ probable, that an infirm and ancient Clergy-
 “ man, who lives in *Somersetshire*, who has no
 “ visible Income upon Earth but a Parsonage,
 “ who grew old in a College, who left it not
 “ many Years since, and was at that Time
 “ notoriously known to be deeply in *Debt*; I say,
 “ I must submit it to the Publick, whether any
 “ Man in these Circumstances would chuse to
 “ engage in, and to multiply Law-Suits in an
 “ uncommon Way, if he was not supported in an
 “ uncommon Manner.

“ THE Reader may see a true *State of the Case*
 “ between this Gentleman and me, in the Ap-
 “ pendix to my *Letter to the King of Sparta*;
 “ and I shall venture to assure him, that 'tis
 “ worth being perused by any Person who has
 “ the least Notion either of *Law*, of *Equity*,
 “ or of *Common Justice*.

“ THE Attorney first employed against me,
 “ in these Suits, was Mr. *Bower* of *Somersetshire*;
 “ and when I have named the *Man*, I believe
 “ there is not one Gentleman in that County
 “ who will not allow him to have been a pro-
 “ per *Instrument* for the *Work* he was employ'd
 “ in.

“ A GENTLEMAN of an excellent Judg-
 “ ment and Understanding, and of as clear a
 “ Reputation as any at the Bar, was a Witness
 “ of

“ of the Offers I made to this Man, to prevent
“ a Law-Suit, and how those Offers were re-
“ ceiv’d.

“ A CERTAIN *Attorney*, residing in Town,
“ (and who, from his Behaviour, I must call a
“ *Gentleman*,) when he was let into the Nature
“ of this Cause, and desired to carry it on
“ against me, absolutely refused to be employed
“ in it. Another was at last found, not quite
“ so scrupulous, and Mr. *Piers* has had great
“ Success in all his Proceedings against me.
“ He is at present in Possession of two of my
“ Estates; to which I think he has no more
“ Right than any Person who reads this. I was
“ advised to bring a *Writ of Error* in the House
“ of Lords, to prevent his taking Possession of
“ one of these Estates, when he had obtain’d
“ a Verdict against me without entering into
“ the *Merits* of the Cause, and by what I think
“ I may justly call a meer *Trick*. Upon this
“ Writ of Error I was condemned to pay, and
“ he has received such Costs, as, I am assured,
“ were never given, till that Day, upon a Writ
“ of Error in the House of Lords since *Eng-*
“ *land* was *England*. I humbly trust, that
“ barely to mention a plain *Fact* cannot possibly
“ give *Offence*: I did, and do submit to the
“ Sentence of that most high and honourable
“ Court with the utmost Humility and Resig-
“ nation. My Enemies have at last lodged
“ me in a *Prison*, and taken such Methods,
“ since my Confinement, to compleat my Ruin,
“ as I believe were scarce ever heard of be-
“ fore.

“ IT

“ IT seems *Money* is the Sinews of *Law*, as
“ well as of *War*: I am sensible Mr. *Peirs*,
“ however it happens, can afford to spend one
“ hundred Pounds better than I can twenty
“ Shillings: I am sensible, that though I be-
“ lieve he is not personally acquainted with ten
“ People in Town, he has much more active
“ Friends than any I am blessed with. In a
“ Word, I am convinced, that at *this Time* it
“ is to no Manner of Purpose for me to contend
“ with him.

“ I WOULD, however, humbly desire him to
“ remember, That People have got into the Pos-
“ session of Estates, which they have after-
“ wards been obliged to give up again. I
“ have heard of a *Pair of honest Brothers*, (and
“ I am sorry to say one of them was a *Clergy-*
“ *man*) who had a Mind to take their Mother’s
“ Jointure from her. In order to this, they put
“ themselves in Mourning, went down to the
“ Tenant, assured him their ancient Mother
“ was dead and buried, took Possession of the
“ Estate, and signed a Lease to the Tenant in
“ their own Names. The Consequence of this
“ was, That their poor old Mother must actually
“ have starved, if she had not made a Shift to
“ prove she was not *dead*, and if her Son, by a
“ second Husband, had not assisted her to reco-
“ ver her Estate out of their Hands.

“ HOWEVER monstrous, however incredible,
“ this Story may appear, yet, I fancy, if I am
“ put upon the Proof of it, I can prove it be-
“ yond all Contradiction.

“ IT is very possible, that the Letter signed
“ *William Peirs* is printed to tempt me to say

E

“ some-

“ something that might draw down the Dis-
 “ pleasure of the most Honourable Court in
 “ *Great Britain* upon me, or, at least, subject me
 “ to an Information in the Crown-Office.

“ THE *King of Sparta* and his *Brother Ul-*
 “ *rick* may find, that though I dare not say all
 “ I could, I shall say something on such Occa-
 “ sions, and that the Law of *England* must be
 “ not a little strain’d, to make the necessary
 “ Defence of an unhappy Man *Criminal*.

“ I BELIEVE those People who thought it ne-
 “ cessary, for their own Security, to have it be-
 “ lieved I was *mad* and *distracted*, were in some
 “ Hopes that they had really done enough to
 “ have disturbed my Reason; if it is not dis-
 “ turbed, (and whether it is, or not, some of the
 “ *best* and *greatest* Men in *England* can at pre-
 “ sent testify,) I must, and do impute it to a
 “ particular Protection of Providence. May
 “ not one of my Fellow-Subjects, who reads this,
 “ (though he has a much larger Estate, and a
 “ much stronger Head than I was blessed with,)
 “ ever experience what it is to have nine or ten
 “ Law-Suits spirited up, and carried on against
 “ him at once; and to see that the Attorneys
 “ employ’d to torment him, though their pre-
 “ tended Clients have spent their Fortunes, and
 “ are little better than *Beggars*, never want Mo-
 “ ney to proceed; and that, to use their own Ex-
 “ pression, they *play all the Play*. May none
 “ of my Fellow-Subjects experience, as I have
 “ done, the *dark* and *horrid* Methods which
 “ Men in Power will sometimes take, to gratify
 “ either their *mean Jealousies*, or their *private*
 “ *Revenge*.

I HAVE

“ I HAVE at present little left to lose but my
 “ *Life*: Some of my Friends are firmly of Opi-
 “ nion, That several uncommon Attempts have
 “ been lately made to deprive me even of *that*.
 “ I confess, I know not what to think myself;
 “ yet thus much I cannot help saying, That I
 “ do believe all Mankind would allow, that
 “ some certain *Circumstances*, if they knew them,
 “ are a little *odd*.

“ I HOPE I am not more afraid than other
 “ Men are to meet *Death*. Thus much my Coun-
 “ trymen and Fellow-Subjects may be assured
 “ of: If I die in Confinement, I shall leave
 “ some Memoirs behind me; and that if I live
 “ to see the Day when I am sure that *Truth* and
 “ *plain Matters of Fact* will not be call'd a *Li-*
 “ *bel*, (as I think they ought not to be called in
 “ a *free Nation*,) I have some Things to acquaint
 “ them with which are extreamly well worth
 “ their knowing.”

I am, Sir, your humble Servant,

June the 26th.

E. BUDGELL,

THIS Letter produced another from Mr. *Peirs*;
 and I shall, without farther Ceremony, lay before
 my Readers both his Letters and mine, in the
 same Order as they were published in the News-
 Papers.

To the Author of the Daily Courant.

S I R,

“ A F T E R the injurious Provocations
 “ given me by Mr. *Budgell* in his Let-
 “ ter to *Cleomenes*, &c. I was in hopes, the gen-
 “ teel and cautious Answer I gave him, would
 “ have induced him to make me, at last, a pri-
 “ vate Acknowledgment for the publick Wrongs
 “ he has offered to my Character; a prudent
 “ Regard to his own would have wrought this
 “ Disposition in him. But I find this Gentle-
 “ man's restless Spirit so much over-powers his
 “ Judgment, that he will not suffer me to con-
 “ ceal from the World the Badness of his Na-
 “ ture; which will but too evidently appear
 “ from my displaying his Schemes and Projects
 “ to rob me of my Estate.

“ I N the State of his Case, (to which he again
 “ refers his Readers,) Mr. *Budgell* has been
 “ pleased to assert, That I am not the youngest
 “ Son living of Mr. *Jo. Peirs*, deceas'd, late of
 “ *Denton* in *Oxfordshire*; though it is a notorious
 “ Fact that I have been so more than thirty
 “ Years before our Controversy commenced. I
 “ beg Leave to ask, in this Place, what kind of
 “ Infatuation must possess the Man, who could
 “ hope to reap Advantage from such a Falsity,
 “ in which he was sure to be easily detected?

“ T H E Dispute (and as this Gentleman says,
 “ the *only* Dispute) between us is for a Copy-
 “ hold Estate; for which (as I have made it
 “ appear) he never gave any valuable Conside-

“ ration,

“ ration, no, not one single Penny. The Whole
 “ of his pretended Title stands thus : When my
 “ elder Brother made over to him some other
 “ Estates, Mr. *Budgell* intreated, in a particu-
 “ lar Manner, that This also might be thrown
 “ into the Deed of Purchase. My Brother de-
 “ murred upon this Request, knowing the Te-
 “ nure of it such as he could not grant. To
 “ whom Mr. *Budgell* urged this notable Per-
 “ suasive :

“ *Mr. Peirs, Let this also be thrown into the*
 “ *Writings, with all the other Estates, since if*
 “ *you have no Right to it, then you give me no-*
 “ *thing ; and if you have, 'tis a Gift I shall be*
 “ *obliged to you for.* Behold a new and artful
 “ Manner, unknown to our Laws, of pur-
 “ chasing Estates !

“ DID I want the Determination of our
 “ Courts of Equity to do me Justice, I should
 “ not fear in so plain a Case, to appeal even to
 “ Mr. *Budgell*'s Resource of Justice, the *People* :
 “ Nor should I think I had Occasion to make
 “ use of his cajoling Arts to bribe their Voices.

“ IN Contradiction to what Mr. *Budgell* has
 “ basely published in his Case, I have full Au-
 “ thority from the Reverend Master and Society
 “ of *St. John's College, Cambridge*, to aver, That
 “ they never did, either by themselves, or their
 “ Council, assure or declare to Mr. *Budgell*,
 “ that his Right or Title, in Opposition to
 “ mine, was good. So far were they from
 “ this, that they professedly declined entering,
 “ one way or other, into the Merits of the
 “ Cause. But upon Mr. *Budgell*'s reiterated
 “ Solicitations to be admitted their Tenant to

“ the Estate in Contest, when a Dispute arose
 “ among them in Regard to the Prejudices that
 “ might accrue to my Right by admitting
 “ another Person to the same Estate, Mr.
 “ *Budgell* accosted them over and over with this
 “ most emphatical Speech.

“ *Gentlemen! I give you so much (75 l.) to*
 “ *purchase a Law-Suit, which I cannot obtain*
 “ *till I am admitted.* This is the Gentleman
 “ who boasts he has offered every Thing a Man
 “ could offer, who loved Peace, and would
 “ avoid vexatious Suits! This Gentleman, who
 “ purchased an Estate without Money, and laid
 “ out a round Sum upon a Law-Suit!

“ I COULD mention several more Circum-
 “ stances in this, and other Cases equally de-
 “ clarative of this Gentleman's Honour and
 “ Conscience; but I shall be glad if these may
 “ be thought sufficient to justify my Proceed-
 “ ings, and save me from the hateful Character
 “ of a litigious Man. Unjust as Mr. *Budgell*
 “ has been to me, I have no Pleasure in expo-
 “ sing him: I would not add Weight to his
 “ Afflictions, nor triumph over him in his Mis-
 “ eries: And could I have vindicated my self by
 “ any other Methods, I would have shewn him
 “ the Extent of my Charity in hiding his Faults
 “ from the World.

“ If in my former Letter I touch'd upon the
 “ Imputation of Madness, thrown upon this
 “ Gentleman, I declared I had no Intention to
 “ insult him; I mentioned it, but as it appeared
 “ to me the *best Excuse* for a *bad Conduct*: He
 “ wronged me, cruelly wronged me, by intima-
 “ ting, that *I was supported by a Great Man's*
 “ *Purse*

“ *Purse to ruin him.* I scorn the vile Accusa-
“ tion of being the Instrument of any Man’s
“ Ruin, even of *Him*, who has been the greatest
“ Plague of my Life.

“ I PITY Mr. *Budgell*, who could stoop so
“ much below the Character of a Gentleman,
“ to tell the World, *I left the College deeply in*
“ *Debt ; and that I have no visible Income upon*
“ *Earth, but a Parsonage* ; and from thence he
“ infers the Improbability of my being able to
“ carry on Law-Suits upon my own Bottom.
“ What my Circumstances were when I left the
“ College, or what they are now, concerns not
“ the World to know ; nor does it become him
“ to publish such wretched Stuff. I shall only
“ inform him, there is such an Art as *Œconomy* ;
“ by the Help of which a Man may be enabled,
“ upon a moderate Income, to better his Condi-
“ tion, and maintain his just Rights against
“ base insolent Invaders. I thank God I am
“ thus far enabled ; nor have I, nor seek I the
“ Assistance of any Man’s Countenance or For-
“ tune for the Occasion.

“ PASSIVE as Mr. *Budgell* would represent
“ me, I do not think my self oblig’d to be so,
“ whilst he ravishes from me and my Family
“ my Estate. But to endeavour to persuade the
“ World that I have passively permitted my
“ Name to be put to a Letter, calculated to
“ draw him into ruinous Snares, is a Falsity
“ and Baseness which I have Temper enough
“ to pass over with a proper Contempt.

“ I KNOW not what Mr. *Budgell* means by his
“ pompous and pathetic Harangue about the
“ Combinations of Men in Power to rob him of
“ his

“ his *Fortune, Liberty and Life*. Why is all this
 “ *Jargon* addressed to me? I have nothing to
 “ do with Great Men; and I wish I had nothing
 “ to do with him. If he has offended such
 “ Persons, or they, him;---what is that to me?
 “ I am no Party in their Quarrel. Let Mr.
 “ *Budgell* do me strict Justice, and I'll engage
 “ to shew him all the Candour and Tenderneſs
 “ that can be due to him from me, as a *Chriſtian*
 “ and a *Clergyman*. He needs no softening Arts
 “ to bring me to this Temper; it is my natural
 “ Inclination, and my Deſire to exert it.

“ SURELY Mr. *Budgell* would perſuade us he
 “ is a terrible Man, and one of vaſt Importance,
 “ when he intimates that the *Great and Mighty*
 “ are leagued together to compleat his *Destruction*;
 “ and that even the *highest Courts of Judicature*
 “ are influenced in their *Determinations* to this
 “ *Purpose*. Really, to me (who know nothing
 “ of his Concerns with ſuch powerful Enemies,
 “ and who am only contending with him for a
 “ common Point of Right) theſe Things favour
 “ of Madneſs; and I think my ſelf charitable in
 “ ſuch an Imputation: In this View, I can re-
 “ gard him with Concern and Pity. But if he
 “ diſclaims, and grows offended at my Charity,
 “ he will force me to change this mild Cenſure
 “ for one of a much more ſevere Nature.

“ WHEN Juſtice gives her Sentence againſt
 “ any Invader of another's Property, ſuch a
 “ one, to ſcreen the Badneſs of his Cauſe, is
 “ apt to inveigh againſt the *Treachery and Kna-*
 “ *very of Lawyers, biaſs'd Juries, &c.* I am
 “ ſorry to ſee the *ingenious* Mr. *Budgell* reduced
 “ to take up with ſuch trite Common-place
 “ Cant,

“ Cant, which deserves no Answer. Though
 “ he says *there is something else which he could*
 “ *name.* What that dark, mysterious, *Some-*
 “ *thing* may be, I am not anxious to know.
 “ That, perhaps, is reserved for the Subject of
 “ those choice Memoirs with which he threatens
 “ the World.

“ ’Tis trifling, ’tis vile, to endeavour to force
 “ a Belief upon Mankind, that *my Letter was*
 “ *drawn up in Vindication of some other Person.*
 “ Whom he means by that *other Person*, is easy
 “ to conjecture; from the many Inuendo’s he
 “ has thrown out. If these are the Arts by
 “ which Mr. *Budgell* labours to win the World
 “ to espouse his Cause, may he succeed as Truth
 “ befriends him. But if he is false in other his
 “ defamatory Insinuations, as he is in this, I
 “ must believe him the most unjust Man alive,
 “ and least deserving the Compassion his Cir-
 “ cumstances seem to claim: For I solemnly
 “ protest to him, and the World, (if they are
 “ pleased to read our Dispute,) I write for no
 “ body but my self; I am seeking no Man’s
 “ Vindication but my own; and I am sorry
 “ he has laid me under a Necessity of doing it
 “ in so publick a Manner.

“ I chuse to pass unregarded all Reflections,
 “ or Hints of an invidious Nature, foreign to
 “ the Dispute between us. Innocence is not apt
 “ to take Offence at those wretched Artifices
 “ which Men of low Minds are forced into,
 “ either through the Impetuosity of an ungovern-
 “ able Rancour, or in order to amuse Mankind,
 “ and divert them from inspecting too closely
 “ into a weak and wicked Cause. I can smile

“ at the harmless Darts of Malice ; and even
“ grieve for the miserable Archer, when I see
“ them recoil and wound his own Breast.

“ HE judges right, when he represents me
“ unfit to perform an active Part in Life ; (tho’
“ I hope I may be allowed to aim at a sincere
“ and honest one ;) nor Years, nor Inclination
“ serve me for that Purpose. Old and infirm
“ as I am, I would spend the Remainder of
“ my Days in religious Peace. In return
“ therefore to his pathetick Strain, I conjure
“ Mr. *Budgell*, as he would be thought a Gentleman and a Christian, *at last* to submit to
“ Justice, and end our Strife. That once done,
“ I promise him to pray for a happy Conclusion to All his Troubles ; for his Peace and
“ Prosperity in all just Undertakings ; and
“ assure him, he never more shall be disturbed
“ by his and

Your humble Servant,

North Carbury,
July 12. 1731.

WM. PIERS.

To the Author of FOG's Journal.

S I R,

“ **I** Entreat you to lay before the Publick the
 “ following Reply to a Letter published last
 “ Thurfday seven-night in the Daily Courant.

“ **I**N my Answer (published in your Journal)
 “ to the first Letter sign'd *William Piers*,
 “ which appeared in our News-Papers, I affirm-
 “ ed, that I long since offered every Thing a
 “ Man could offer, who loved *Peace*, and would
 “ avoid those *oppressive* and *vexatious Suits*
 “ which have been carried on against me in
 “ this Gentleman's *Name*. I publicly offered
 “ him once more, to refer the Dispute between
 “ us to any learned and indifferent Council, and
 “ conjured him to accept of so *fair* a Proposal.

“ *Mr. Piers*, (or he that writes for him,) in
 “ his *long Reply* to me, which fills *three* whole
 “ Columns in the *Daily Courant*, says *nothing* to
 “ all this: He neither gives the *least Reason* why
 “ he will not comply with my *honest Proposal*,
 “ nor vouchsafes to take any Manner of Notice
 “ of it. His *most remarkable Silence* on this
 “ Head must surely give all *observing Readers*
 “ a full Notion of the *Completion* of his Cause.

“ SOMETHING he was obliged to say: Let
 “ us see what he does say.

“ HAVING observed, in the first Paragraph
 “ of his Letter, that *I will not suffer him to con-*
 “ *ceal from the World the Badness of my Nature*,
 “ he immediately proceeds to shew it in the fol-
 “ lowing Words.

“ *I N the State of his Case, (to which he refers*
 “ *his Readers,) Mr. Budgell has been pleased to*
 “ *assert,*

“ assert, That I am not the youngest Son living
 “ of Mr. J. Piers, deceased, late of Denton in
 “ Oxfordshire ; though it is a notorious Fact,
 “ that I have been so more than thirty Years before
 “ our Controversy commenced. I beg Leave to
 “ ask, in this Place, what kind of Infatuation
 “ must possess the Man who could hope to reap
 “ Advantage from such a Falstity, in which he
 “ was sure to be easily detected?

“ I AM sorry, heartily sorry, to tell a Gentle-
 “ man in Holy Orders, that the very first Fact
 “ he affirms in his Letter, the Fact of which he
 “ assures his Readers, and argues upon in so
 “ solemn a Manner, is a most notorious, a
 “ most flagrant Falshood. I do no where as-
 “ sert, in the State of my Case, that Mr. Wil-
 “ liam Piers is not the youngest Son living of
 “ his deceased Father, Mr. J. Piers, or any thing
 “ like it : On the contrary, I always did, and
 “ still do, most readily grant, that he is so. I
 “ join Issue with Mr. Piers upon this plain Fact,
 “ and am content, that my whole Credit with
 “ my Readers shall stand or fall upon this single
 “ Point. Either Mr. Piers, or I, do certainly
 “ assert a most shameful Falshood ; and which of
 “ us does so, every Man in England may be sa-
 “ tisfied who will but give himself the Trouble
 “ to read over the short, but most remarkable
 “ State of my Case, in the Appendix to my Letter
 “ to the King of Sparta. Does Mr. Piers (or
 “ Mr. Walsingham, who may possibly write for
 “ him) call this observing that Simplicity of Truth
 “ which he promises to use in his first Letter?
 “ Have I not a just Right to turn his own
 “ Words upon him? viz. What kind of Infatua-
 “ tion must possess the Man who could hope to reap
 “ Advantage

“ Advantage from such a Falſity, in which he was
“ ſure to be eaſily detected ?

“ THE Reverend Mr. *William Piers* pretends,
“ that he appears in Print to juſtify his *Cha-*
“ *raſter and Reputation* : In my Answer to his
“ *fiſt Letter*, ſpeaking of thoſe *Tricks* by which
“ he has got into the Poſſeſſion of two of my
“ *Eſtates*, I uſe the following moſt remarkable
“ *Words*.

“ I would, however, humbly deſire him to re-
“ member, that People have got into Poſſeſſion of
“ *Eſtates*, which they have afterwards been obliged
“ to give up again. I have heard of a Pair of
“ honeſt Brothers, (and I am ſorry to ſay one of
“ them was a Clergyman,) who had a Mind to take
“ their Mother's Jointure from her. In order to
“ this, they put themſelves in Mourning, went
“ down to the Tenant, aſſured him their ancient
“ Mother was dead and buried, took Poſſeſſion of
“ the *Eſtate*, and ſigned a *Leaſe* to the Tenant in
“ their own Names. The Conſequence of this was,
“ that their poor old Mother muſt actually have
“ ſtarved, if ſhe had not made a Shift to prove ſhe
“ was not dead, and if her Son by a Second Huſ-
“ band had not aſſiſted her to recover her *Eſtate*
“ out of their Hands. However monſtrous, how-
“ ever incredible this Story may appear, yet I fancy,
“ if I am put upon the Proof of it, I can prove it
“ beyond all Contradiſtion.

“ IN the preceding Paragraph I ſtrongly inti-
“ mate, that a certain Clergyman had been guilty
“ of an *Action* which no body can hear without
“ the utmoſt Horror. How many Wretches do
“ almoſt daily ſuffer an ignominious Death for a
“ leſs Crime ? What innocent Man, who was
“ defending

“ defending his *Character*, would not, at least,
 “ have asked, *How does this horrid Paragraph*
 “ *relate to me?* Mr. Piers, in his *long Epistle*,
 “ does not once touch upon it, but (for *Reasons*
 “ best known to *himself*) preserves a most pro-
 “ found and amazing *Silence* on this Head. I
 “ enter upon it with great *Reluctance*, when I
 “ consider the *divine Character* this Gentleman is
 “ vested with; but since I have not Time to de-
 “ tect all those *Falshoods* I find him capable of
 “ asserting, I must humbly entreat him to give a
 “ *plain* and *direct* Answer to the *following Que-*
 “ *ries*. When he answers these *Queries*, I be-
 “ lieve, the Publick will soon be convinced
 “ whereabouts *Justice* lies; and whether they
 “ ought to credit Mr. Piers, or me, whenever
 “ we differ about *Matters of Fact*.

Quere 1. “ IF Mr. Piers only relies on the
 “ *Justice* of his Cause, and not on *some Things*
 “ which he knows I dare not *name*, why will he
 “ not submit the Dispute between us to be de-
 “ termined by any eminent and indifferent Coun-
 “ cil learned in the Law?

Q. 2. “ WAS not the very *Estate* in Dispute
 “ between us, his *Mother's Jointure*; and did
 “ not he and his eldest Brother, J. Piers, of
 “ *Denton*, go down to the Tenant, by Name
 “ *Robert Pazey*, and assure him their Mother
 “ was *dead*, though she was really *living*?

Q. 3. “ DID they not actually take Posses-
 “ sion of the Estate, and persuade the Tenant to
 “ accept of a *Lease* from them, which they *both*
 “ signed?

Q. 4. “ WHY should Mr. *William Piers* per-
 “ suade his *eldest Brother*, from whom I pur-
 “ chased,

“ *chased*, to sign a *Lease* to the Tenant, if he
 “ thought his said Brother had no Right to this
 “ Estate?

Q. 5. “ MUST not his *old Mother*, a very good
 “ *Woman*, have wanted Bread, if her Son by her
 “ Second Husband, the Reverend Mr. *Cade*; a
 “ worthy Clergyman still living, had not taken
 “ Care of her, and forc’d the two Mr. *Piers* to
 “ restore her Estate?

Q. 6. “ CAN Mr. *Piers* possibly except to
 “ Mr. *Cade*’s Evidence, in relation to the several
 “ Matters contained in the four last Queries?

“ I THINK, I never saw Mr. *Cade* above
 “ twice or thrice in my Life; but I am assured,
 “ he has the Character of a most *worthy, honest,*
 “ *plain* Man, who edified his Parishioners more
 “ by the filial *Love* and *Respect* he shewed to his
 “ *Mother*, than some Clergymen do by an hun-
 “ dred Sermons. All who know him are fully
 “ satisfied, that Nothing but the *Force of Truth*
 “ could oblige him to assert *Facts* so much to the
 “ *Disgrace* of his *Brother*, and a *Man* of his own
 “ *Order*.

“ IF Mr. *Piers* will vouchsafe to answer the
 “ several Queries above, I am sure, the World
 “ will soon have a proper Notion, both of *him*,
 “ and the *Motives* he acts upon; and, that I need
 “ not detect all the *Falshoods* advanced in his
 “ Letter. Can any Man of *common Sense* be-
 “ lieve what he endeavours to prove, namely,
 “ that I purchased the Reversion of his Bro-
 “ ther’s Estate, without paying a single Penny
 “ for it? When his Brother had shewn me his
 “ *unhappy* Circumstances, and begged me, for
 “ above a *Twelvemonth* together, to buy the Re-
 “ version

“ version of his Estate, I paid him 800 l. for it
 “ at one Time, as may appear by the Purchase
 “ Deeds: I likewise forgave him *several Sums* of
 “ Money, which I had lent him before in his
 “ Necessities, and reckoned him Nothing for all
 “ the Pains, and many long Journeys I was
 “ obliged to take, in order to settle his Affairs.
 “ I may safely affirm, and he himself has own-
 “ ed in *Twenty Letters*, that I preserved him
 “ from *utter Ruin*. How I have been requited
 “ by this *honest Pair of Brothers*, by what *Per-*
 “ *sons*, and with what *Views* they have been *sup-*
 “ *ported* and *encouraged* to multiply and carry
 “ on Law-Suits against me, is pretty notorious
 “ to a great many People, and what I shall not
 “ now enter into.

“ I BELIEVE this *Purchase* has proved to me
 “ the *dearest Purchase* any one Man in *England*
 “ ever made of so small an Estate.

“ I WILL not trouble the Reader with de-
 “ tecting at large a *mean Falshood* in that Part of
 “ Mr. *Piers's* Letter, where he mentions the Mas-
 “ ter and Society of *St. John's College*. This
 “ learned Society has no manner of Interest in
 “ the Dispute between me and Mr. *Piers*; it
 “ was not their Business to *declare to me by them-*
 “ *selves or their Council, that my Title was good,*
 “ neither do I *any where* assert that they did.
 “ They admitted me their Tenant; which is no
 “ more than they were in *Justice* obliged to do;
 “ yet I must acknowledge, I was received and
 “ treated in so *genteel* a Manner by the *chief*
 “ *Members* of this learned Society, that I shall
 “ think my self obliged to serve their College,
 “ if ever it happens to lie in my Way. I might
 “ very

“ very well tell them, *I had purchased a Law-*
 “ *Suit ; I might have said half a dozen Law-*
 “ *Suits.*

“ I MUST make a short Remark on the *Language* with which Mr. Piers (or his Secretary) has treated me. The several Epithets of *base, vile, insolent, &c.* which he so freely confers upon me, seldom become the Pen of a *Gentleman*, much less do they agree with that *amiable Humility* which always appears in a *good Clergyman.*

“ THERE are likewise particular Reasons, why these Words are not quite so decent from Mr. Piers to me. His *Wife* was my Aunt's *Servant* many Years, and lived in my Father's Family. The *Money* she got in her *Service*, with a *generous Legacy* her Mistress left her, did, I am told, serve to pay off some of Mr. Piers's most *troublesome Debts.* In consideration of her being a *Servant* in our Family, I sold her an *Annuity* on my paternal Estate, for *two Years* Purchase less than she must have given another Man. I should *scorn* to mention *these Particulars*, if Mr. Piers and his *Lady* did not shew me they had quite forgot them, and if they had not been *drawn* from me by such hard Epithets as *BASE, VILE, and INSOLENT.*

“ I HAVE done with Mr. Piers, but must say a Word or two to those who *assist* him, and *sculk* behind his *Name.* I cannot take it amiss, that I am used in the same Manner with a Gentleman whose *Abilities* and *Fortune* are so vastly superior to mine; ----- I mean Mr. *Pu-----y.* This Gentleman had as *fair* a Re-

G

“ *putation*

“putation as most Men in *England* ; but he no
 “sooner attempted to do his *poor Country* a most
 “*necessary* and *important* Piece of Service, than,
 “in order to *divert* him from it, his *private*
 “*Character* was attacked with the utmost *Ma-*
 “*lice*. The best of it is, the whole World sees
 “through these *Plots*. I do assure the *King of*
 “*Sparta*, they shall never succeed on me ; and
 “that, though I may make a *short Excursion* on
 “my *own Account*, it shall never *divert* me
 “from doing what, I hope, may be for the
 “*Good of my Country in general*.

I am, Sir, your most humble Servant,

E. BUDGELL.

To the Author of Fog's Journal.

S I R,

“**Y**OUR Paper is so generally read, that
 “if you please to publish the enclosed
 “Letter, I shall make no Doubt of its falling
 “into the Hands of that Gentleman to whom
 “it is directed.

I am, Sir, your most humble Servant,

E. BUDGELL.

To the Reverend Mr. William Peirs, Rector of
North Cadbury in Somersetshire.

S I R,

“ HAVING, I hope, in my last Letter,
“ which was published in this Journal
“ on the seventh Instant, given a full Answer
“ to the several *Facts* you were pleased to ad-
“ vance; having detected you of asserting a
“ most *flagrant Falshood*, which you yourself
“ *knew* to be a *Falshood*; and lastly, having
“ proposed to you some certain *Queries*, to which
“ when you give a plain Answer, I believe the
“ Publick need be no longer troubled with our
“ Controversy, I shall in this Letter say some-
“ thing to that *Air of Religion* which runs through
“ all your *last Epistle*, and of which I have yet
“ taken no Notice.

“ I BEG Leave to inform you, Sir, that we
“ live in an *observing*, though in a very *wicked*
“ Age; in an Age when People do not much
“ mind Mens *Words*, when they see them con-
“ tradicted by all their *Actions*; and when the
“ Vulgar, if they see a Man, who, while he talks
“ of *Heaven* and *Charity*, sticks at Nothing to
“ get *Money* and *Preferment*, are very apt to
“ fancy that such a Man looks upon *Religion* on-
“ ly as a *Trade* to acquire *Riches*, and does not
“ himself believe one Word of all the *Stories* he
“ tells. Give me Leave to lay before you the
“ *Part* you have *acted*, with relation to me.

“ I CONCEIVED, at least, that I was most
“ cruelly injured and oppressed by a certain *Per-*

“ son ; and that, to say nothing of *Justice* and
 “ *Humanity*, he had treated me with the *basest*
 “ *Ingratitude*. I offered to make good this
 “ Charge against him, before one or more of his
 “ own best Friends. In order to drown my
 “ Complaints, the *Band of Mercenaries* were im-
 “ mediately ordered to fall upon me. One of
 “ them, a Fellow who is notoriously known to
 “ receive a *Weekly Salary* (besides particular
 “ Sums on extraordinary Occasions) for abusing
 “ Mr. *Pulteney*, the late Lord *Boltonbroke*, and your
 “ humble Servant, had the Assurance to repre-
 “ sent me to the Publick, in a Pamphlet which
 “ he wrote against me, under the *worst* of Cha-
 “ racters, namely, that of a *litigious Man*, who
 “ loved and fomented Law-Suits. In order to
 “ shew the Injustice of this Aspersions, to shew
 “ in what Manner I had Law-Suits forced upon
 “ me, and was hunted through all the Courts,
 “ I thought proper in my *Letter to the King of*
 “ *Sparta* to publish the Case between you and
 “ me. I could have said much more, and have
 “ opened such a Scene, as, I believe, would have
 “ made every Gentleman in *England* start at the
 “ Sight of it; but I only printed the *State of*
 “ *my Case* verbatim, as I had before given it
 “ into the most honourable House of Lords.
 “ You are treated in that Case with the utmost
 “ Tendernefs, as an ancient Clergyman, who
 “ possibly might not know of all the *Injustice*
 “ and *Oppression* that had been committed un-
 “ der your Name. My *Letter to the King of*
 “ *Sparta* drew all the *Mercenaries* afresh upon
 “ me. I was attack’d by *Osborne*, the *Hyp-*
 “ *Doctor*, and *Walsingham*, with his Excellency
 “ Mr.

“ Mr. *Ulrick D’Ypres* at their Head. No *Scur-*
 “ *rilities* were omitted, which they imagined
 “ might provoke me to some *Imprudence*. Ha-
 “ ving answered, in the Opinion of most Peo-
 “ ple, whatever these worthy Gentlemen had to
 “ say to me, I find, Sir, you are at length com-
 “ manded to mount the Stage, or, at least, to
 “ allow your *Name* to be tack’d to what Mr.
 “ *Walsingham* writes for you. It is certain that
 “ you make your Appearance a little of the
 “ latest; I believe it is now about *eight Months*
 “ since my *Letter to the King of Sparta* was pub-
 “ lished; and above *three Years* since that *State*
 “ of my *Case* was first printed, which gives you,
 “ it seems, so much *Uneasiness* at present, after
 “ you had been so long *silent*.

“ IN your first Letter, which you printed
 “ both in the *Daily and Evening Post*, you only
 “ thought proper to deny, in *general*, the several
 “ *Facts* mentioned in the *State of my Case*; but
 “ then you threatened, that

“ *If my Infatuation should so far delude my*
 “ *Judgment, as to prompt me to call on you for a*
 “ *Proof of Particulars, you should then be obliged*
 “ *to shew me to the World in my proper Colour-*
 “ *ing.*

“ You added, That

“ *You should observe a Conduct contrary to mine,*
 “ *as believing Justice is better distinguished by the*
 “ *Simplicity of Truth.*

“ IN my Answer to this terrible Letter, I still
 “ ventured to assert the *Truth* of the *State of my*
 “ *Case*, upon which you set about the *Work* you
 “ had promised the Publick, *viz.* to shew me to
 “ the

“ the World in my proper Colouring, and to
 “ distinguish *Justice* by the *Simplicity of Truth*.”

“ THE very *first Step* you took in this laud-
 “ ble Undertaking, after having demurely expref-
 “ sed a most *christian-like* Concern, that my *Im-*
 “ *prudence* would not suffer you to conceal from
 “ the World the Badness of my Nature; I say, the
 “ very *first Step* you took after this pious Preface,
 “ was to affirm a downright *Falshood*; to affirm
 “ a *Fact* which you knew was false at the Time
 “ you affirmed it, and which every Man in
 “ England may see is false, who will but peruse
 “ the State of my Case, in the Appendix to my
 “ Letter to the King of Sparta.”

“ PARDON me, Sir, if I am a little free
 “ with you upon this Occasion; I am fully con-
 “ vinced, that you are only made use of by
 “ some People to *divert* me from executing a
 “ Design they suspect I am upon, and which I
 “ have *Reasons* to believe, gives them some *Un-*
 “ *easiness*. But this notable *Plot* shall not suc-
 “ ceed, if I can help it. I do assure you, Sir,
 “ that till you can *prove* (which I defy you to
 “ do) that you have not *knowingly* and *wilfully*
 “ told the Publick a most *flagrant Falshood*, and
 “ till without any *Shuffling* or *Prevarication* you
 “ give a *direct* and full Answer to the six *Que-*
 “ *ries* I proposed to you in my last Letter, I
 “ shall take but very little Notice of any Thing
 “ you can write against me, or of any Thing
 “ published in your Name.

“ I AM told (I do not assert it on my own
 “ Knowledge) that when you went down to
 “ *St. John's College*, to get yourself admitted
 “ to the Estate in Dispute between us, you as-
 “ fured

“ fured the College, that you was your Father’s
 “ *youngest Son* at the *Time* of his *Decease*; and
 “ had this *Fact* been *true*, your *Title* to this
 “ Estate had been unquestionable; the Custom
 “ of the Manor in which it lies being *Burrough*
 “ *Engliff*. But, Sir, you very well know, that
 “ when your Father died, you had two younger
 “ Brothers, *Edward* and *Laud*; your Father
 “ purchased this little Estate, which was sur-
 “ rendered to the Use of himself and his Wife,
 “ and the longest Liver, and afterwards to the
 “ Use of his Heirs. Upon his Decease, the
 “ *Reversion* of this Estate, after his Wife, be-
 “ came vested both by his last *Will*, and the
 “ *Custom of the Manor*, in his youngest Son
 “ *Laud Peirs*, who dying intestate and unmar-
 “ ried, it fell to his *Heir at Law*, namely, to
 “ his eldest Brother *John Peirs*, from whom I
 “ bought it, and who has surrendered it to my
 “ Use.

“ THIS, Sir, is my *Title*; which I am af-
 “ fured by the *unanimous* Opinions of a *great*
 “ *Number* of the most eminent Council in *Eng-*
 “ *land*, is as clear as the Sun at Noon-Day.
 “ Every Gentleman who understands the *Law*
 “ must see that it is so. I am well assured, that
 “ you yourself (and a *greater Man* than your-
 “ self) do know that it is so; and this will serve
 “ to account for your constantly refusing to sub-
 “ mit the Dispute between us to the Judgment
 “ of any learned and indifferent Council.

“ LET me intreat you, Sir, to reflect a little
 “ seriously upon what you are doing. It is ve-
 “ ry possible, that by meer Dint of Money you
 “ may *oppress* me some Time longer. It is
 “ possible

“ possible Things may be so *settled*, that an hundred Law-Suits may cost you *Nothing* ; but
 “ though you was even sure to get a *Bishoprick*
 “ by the Part you are acting, you would, methinks, do well to remember, that you could
 “ not *long* enjoy your Grandeur. Though you
 “ talk of *your Family* in your *Letter*, you have
 “ none to provide for that I know of ; you have
 “ had no *Child* by your *Lady* ; you were both
 “ ancient Persons when you came first together.

“ You are contributing all in your Power to the Ruin and Confinement of a *Man*, to whom
 “ your Brother had *great Obligations*, to whose Family your *Lady* had some, and who always treated you with the utmost Civility.

“ INSTEAD of all those *fine Things* mentioned in your *Letter*, such as the *Extent of your Charity*, your *Aims at Sincerity and Honesty*, and the *Benefit of your Prayers*, which on some *certain Conditions* you allow me to hope for ;
 “ I shall think myself infinitely obliged to you, if you will but condescend to do me *strict Justice*, and leave the Determination of what is so, to some worthy and impartial Person, or Persons, learned in the Law.

“ I SHOULD imagine your complying with the Request I now make you, should not be the most unlikely Method towards your attaining that *Religious Peace*, in which you assure all your Readers, you *desire to spend the Remainder of your Days*.

“ IT is with Reluctance that I do any Thing which may expose the Character of a *Minister* of the Church of *England* ; you have forced

“ me

“ me to say what I have said ; do not oblige
“ me to proceed ; I am, perhaps, not so much
“ a Stranger to some *Passages* in your Life, and
“ to some *Management* in the Law-Suits between
“ us, as you may imagine.

“ I HAVE ever had the utmost Respect for a
“ good *Clergyman* : I am proud to own, that I
“ am myself in a double Capacity a *Son* of the
“ *Church of England*. My Mother, whose
“ Name is still famous in the West of *England*
“ for her *Virtue*, her *Piety*, and her *Beauty*, was
“ the only Daughter of a Gentleman whose *Me-*
“ *rit* raised him to the highest Order in the
“ Church ; and I have the Pleasure to hear, that
“ my *Grandfather* was no *Disgrace* to the *Bench*
“ of *Bishops*, when several Prelates sat upon it,
“ whose *Actions* were a Proof that they preferred
“ the *Testimony of a good Conscience*, and that
“ *Duty* they owed their *Country* to their own
“ *private Interests*.

“ BUT though I am a Son of the Church, I
“ must confess I have been much more conver-
“ sant in the Writings of *Ancient Philosophers*,
“ than of *Modern Divines*.

“ IN Return to your promising to *pray for*
“ *me*, on some certain *Conditions*, for which
“ *Promise* (however limited) I most heartily
“ thank you ; I beg Leave, Sir, to submit the
“ following *Article of my Creed* to your serious
“ Consideration and Judgment.

“ I DO humbly hope, and stedfastly believe,
“ that *Justice*, *Gratitude*, *Honour*, and *Huma-*
“ *nity*, though they are *Virtues* recommended to
“ us by a Pack of *Heathen Writers*, are not ut-
H “ terly

“terly inconsistent with the Precepts of the
“Gospel, and the Doctrine of Christianity.”

I am, Sir, your most humble Servant,

E. BUDGELL.

To the Author of the Daily Courant.

S I R,

“BY laying the inclosed before the Gentle-
“man to whom it is addressed, you will
“oblige

Your Most Humble Servant,

W. PIERS.

To EUSTACE BUDGELL Esq;

S I R,

“IT must be confessed you have an admira-
“ble Faculty at raising a Mist, and baffling
“the Inspection of superficial Observers; for
“such only are to be blinded with your *Orato-*
“*rical Rubbish*. Yet I make no Question but
“Truth will be strong enough to dispel all these
“Clouds, and expose the shameful Nakedness
“of your Designs and Actions to full View.
“My remote Abode (the Distance of above
“an hundred Miles) affords you one Advantage
“indeed;

“ indeed ; by living near the *Press* you can at-
 “ tack me one Week, and sing your Triumph
 “ for it the next ; and all this e’er I can well
 “ have Notice of your Advances. But elate
 “ as you may strut with your *fancied Victory*,
 “ *Truth* (though late) will surely prevail ; and
 “ well for you if she reduces you to sing your
 “ *Recantation* ; the only Method you can take to
 “ do *Justice* to me and all those whom you have
 “ *obliquely calumniated* through me.

“ You begin your *Triumphal Ditty* with ha-
 “ ving fixed, as you say, a most flagrant Fals-
 “ hood upon me. How does that appear ?
 “ Why I took Notice in my last Letter, That
 “ in the *State* of your *Case* you asserted, *That* “ I
 “ *was not the youngest Son living of Mr. John*
 “ *Peirs, deceased, &c.* though as I told you I
 “ had been so upwards of thirty Years before
 “ our Controversy commenced ; you now deny
 “ that you ever said any Thing like this. Near
 “ the Beginning of your *Case* I found these
 “ Words :—William Peirs, *the second Bro-*
 “ *ther, who was neither his Father’s nor his Mo-*
 “ *ther’s youngest Son at the Time of their Death,*
 “ *went down to Cambridge, &c.* These Words
 “ I did and do still understand in the Sense I
 “ have put upon them ; in no other could they
 “ be of any Service to you. But if you, or the
 “ more *intelligent Reader*, will fix any other Con-
 “ struction upon them, I shall think it no Dis-
 “ grace to confess the *Error* of my *Judgment* ;
 “ which is all I can be chargeable with in this
 “ Place. Supposing me mistaken ; can such a
 “ Mistake justify the Torrent of foul insulting
 “ Language, which you pour upon me ? But

“ I can excuse you, Sir ; it was necessary for
 “ you to catch hold on any Trifle, and grow
 “ outrageous upon it, in order to ferment your
 “ Readers Passions, that they may be less at-
 “ tentive while you more carelessly slide over the
 “ more material Points, and make use of all the
 “ evasive Finesse which your *Skill in Law Cbi-*
 “ *canery* can furnish you with.

“ THAT I do you no Injustice in this Charge,
 “ will evidently appear in my Notice of your
 “ *Queries*, wherein (though quite foreign to our
 “ *Dispute*) you stuff more scurrilous *Ribaldry*
 “ than any one but yourself would venture to
 “ dawb a *Chancery Bill* with. This kind of
 “ Artifice (pardon my Allusion) resembles that
 “ of a cunning *Thief*, who first rolls a *Gentle-*
 “ *man* in Mud to frighten all Assistants from
 “ him, that he may be left to pick his Pocket
 “ in Safety.

“ IN your Letter printed in the *Grubstreet*,
 “ July 29. you charge me with another Fals-
 “ hood, in misrepresenting your Concerns with
 “ the *Society of St. John's College*. You say,
 “ *It was not their Business to declare to me by them-*
 “ *selves, or their Council, that my Title was good.*
 “ Neither do I any where assert that they did.
 “ Let us now see what the Case says, p. 7. —
 “ *And Mr. Budgell being assured by all the Coun-*
 “ *cil be consulted, that his Title was good, he*
 “ *laid the same before St. John's College; who*
 “ *being likewise assured by their Council that the*
 “ *Estate was Mr. Budgell's, admitted him to it.*
 “ If neither the *College* nor their *Council* assured
 “ you of this their Determination, how came
 “ you to know it? Here then is a flat Con-
 “ tradiction

“tradiction of your own Assertion ; which you
 “can never evade, but by a Quibble unworthy a
 “Man of common Sense. But I must fix on you,
 “in this Place, a double Falshood ; 1. of *con-*
 “*tradicting yourself* ; 2. of *abusing that Society* ;
 “for they acquainted me by Word of Mouth
 “and Writing also, That they could not at all
 “interfere with respect to *Title*. You conclude
 “this Paragraph with adding, — *I might*
 “*well tell them I had purchased a Law-Suit*.
 “Yes, Sir, and it must be confessed you have
 “most admirably accumulated your Gains ; for
 “with that *Law-Suit* you have purchased also
 “a most infamous *Character*. I wish you Joy
 “of your Bargain.

“To the third Article of my last Letter you
 “reply, — *Can any Man of common Sense be-*
 “*lieve what he endeavours to prove, namely, that*
 “*I purchased the Reversion of his Brother's Es-*
 “*tate, without paying a single Penny for it ?*
 “Really, Sir, as I believe no Man of common
 “Sense and Honesty would have acted as you
 “have done, I shall not wonder if they stand
 “aghast at your Conduct. But that you did
 “purchase (if I may so call it) *this Estate with-*
 “*out paying a single Penny for it*, my Brother
 “not only did, but does still certify, and de-
 “clares he never *sold*, but only *gave* it you. But
 “if my Brother may be suspected in this Decla-
 “ration, I shall corroborate his Evidence with
 “your own Confession. I know, Sir, you have
 “occasionally a very bad Memory ; but old
 “and infirm as my Body is, my Mind is yet
 “strong enough to retain a Conversation which
 “pass'd between you and me about nine or ten
 “Years

“ Years since. I then asked you, What was
 “ the *valuable Consideration* you paid my Bro-
 “ ther down for *this Estate* now in Contest? You
 “ immediately replied, — *None.* — You on-
 “ ly added, *That there ought to be some Consid-*
 “ *eration had on Account of 800 l. paid down, (for*
 “ *other Estates purchased of my Brother,) and*
 “ *which had lain dead a long Time.* That the
 “ 800 l. paid down was not a bare Equivalent
 “ for the *other Estates*, exclusive of this *Essex*
 “ Estate, does plainly appear, and will be yet
 “ attested by my Brother.

“ THESE, Sir, were the *Articles* contain’d in
 “ my last to prove in part the *Falshoods* and
 “ *Prevarications* contained in the *State* of your
 “ Case. How you have cleared yourself of
 “ them, let the World judge.

“ BUT supposing that *this Estate* was sold to
 “ you, and you paid the Worth of it; yet if
 “ it was another Man’s Right, *Caveat Emptor*,
 “ must I forfeit my *just Title*, if you bought a
 “ *bad One*? Prove your *Purchase-Money* paid,
 “ and *claim* it of him who gave you a false *Title*
 “ for it. But you know too well you did not
 “ buy with any *Coin* but *inveigling Words*, which
 “ I must again confront you with. — Mr.
 “ Peirs, you cried, *throw this also into the Wri-*
 “ *tings with all the other Estates; since if you*
 “ *have no Right to it, you give me nothing; and*
 “ *if you have, it is a Gift I shall be obliged to you*
 “ *for.* By this *Artifice* you *ensnared* my Bro-
 “ ther, laid the *Foundation* of a *Law-Suit*, and
 “ gain’d — what? *Shame* and *Distress*; the
 “ *just Rewards* of such *foul Practices*.

“ NOR

“ NOR can it be forgot, That on your ill
 “ Success in that Trial at *Chelmsford* in *Essex*,
 “ (*March 8. 1726-7.*) you could not forbear
 “ at that Time expostulating with my Brother,
 “ (from whom you pretended to *purchase* the
 “ *Estate* in *Contest*,) and upbraiding him with
 “ his Endeavours to *defraud me* of this *Estate*;
 “ notwithstanding you had set up *his Title* (by
 “ which you now claim) *against mine*, by Means
 “ of the abovementioned Fraud.

“ THIS, Sir, you will say is being free with
 “ you : I am necessitated to be so ; and to de-
 “ tect the Vileness of your Nature. Yet sure
 “ *Decency* and *Good Manners* (whose Limits I
 “ would not willingly transgress) will not re-
 “ buke me for affixing such *Epithets* as your
 “ Actions call for.

“ Now, Sir, to your *Queries*. — In your
 “ first you ask me, Why I will not submit the
 “ Dispute between us to be determined by some
 “ *eminent Counsel learned in the Law*? To this
 “ I answer, Because I was first and justly ad-
 “ mitted, and am still in *legal Possession* of my
 “ Right ; which I believe no Man would ever
 “ give up, to have his Title canvass’d afresh at
 “ the Caprice of an *insolent Pretender*. Would
 “ you, Sir, do this? Persuade the World to
 “ believe it, if you can ; and when that Day
 “ comes, I shall also believe you may gain Cre-
 “ dit for all the *Scurrilities* you have, or may
 “ invent. In the mean Time, if you think you
 “ have a better Title to my Estate, make it ap-
 “ pear, and I declare to the World I will do
 “ you Justice.

C

“ YOUR

“ YOUR second Query, and the following
 “ ones, which are built upon it, contain the
 “ most cruel of Charges ; a Charge which my
 “ Soul shrinks at, and detests, as much as I do
 “ you, Sir, the wicked Inventor or Publisher of
 “ it. The Sum of it is this ; — *That my Bro-*
 “ *ther and I put ourselves in Mourning, went to*
 “ *the Tenant, by Name Robert Pazez, and as-*
 “ *sured him our Mother was dead, (though living*
 “ *at the same Time,) in order to seize her Join-*
 “ *ture ; that we did so, and turn’d her out a star-*
 “ *ving ; which must really have been her Case, had*
 “ *not her Son Mr. Cade relieved and reinstated her*
 “ *in the Possession of her Estate.* This, as I take
 “ it, is the Substance of your Charge. *As to*
 “ *my Share in the Scandal, I do solemnly aver,*
 “ *upon my sacerdotal Word, it is as basely*
 “ *false, as it is barbarously malicious.* That
 “ Mr. Cade may have his Reasons for dressing
 “ up this horrid Story, I am well aware ; what
 “ those are, I scorn to publish till I am pro-
 “ voked by him. In the Interim, Sir, *I chal-*
 “ *lenge you to make good your Charge.* Let
 “ both our Credits depend upon it ; and may
 “ *lasting Infamy* fall on one of us ! on me, if I
 “ am proved guilty of the Facts ; on you, if
 “ you have unjustly accused me ; and may your
 “ future Credit stand or fall by this Trial of
 “ your Honour and Veracity.

“ I SHOULD take no Notice of your con-
 “ temptuous Treatment of my Wife, was it not
 “ to shew you, (I wish it may be to the Convic-
 “ tion of your Conscience,) that *Truth* and *you*
 “ *are irreconcilable Foes.* ’Tis strange you can-
 “ not relate a trifling Circumstance without fal-

“ sifying

“ fifying it. Remember, Sir, my Wife was a
 “ First-Cousin to your Aunt; under whom she
 “ received her Education, and with whom she
 “ lived as a Companion, not a Servant, as you
 “ maliciously and foolishly declare. That *her*
 “ *Wages paid my Debts*, is an Assertion of yours
 “ of the same Complexion with the rest, *false*
 “ and *silly*.

“ WHO could sink into such *Scurrilities* as
 “ these but you, Sir, who are so remarkable a
 “ Diver into *Filth* and *Falshood*? You who can
 “ rake the darkest Abyfs of Invention for Mat-
 “ ter of *Defamation*.

“ I FIND, Sir, you are still resolved to tack
 “ my *private Vindication* of myself upon the *po-*
 “ *litical Writers*, nay more, to impute it to the
 “ *Management* or *Influence* of some *great Men*.
 “ And do you expect your bold *Surmises* will
 “ be of more Weight with the *Publick*, than
 “ my *repeated solemn Declaration*? Once more
 “ I protest to you, and all Mankind, I have *no*
 “ *Commerce* or *Acquaintance* with any of the
 “ *great Men* hinted at by you; nor with any of
 “ those *Gentlemen* whose *Attacks* you complain of.
 “ But whatever their *Attacks* may be, I have no
 “ Reason to question but that you still give them
 “ *full Provocation*. I should be at a Loss to ac-
 “ count for this ridiculous *Effrontery*, but that
 “ I perceive you aim to make yourself *conside-*
 “ *rable* by the Intention.

“ To use your own Words — *Pardon me*,
 “ Sir, if I am a little free with you upon this Oc-
 “ *casion*. What Man of mighty Figure do you
 “ take yourself for, when you suggest that Men
 “ in the *first Rank of Life*, and that *all the*

“ Courts of Justice are combining together to
 “ oppress and ruin you? Prithee, if the Pride
 “ of thy Heart will give thee Leave, take a
 “ short Survey of thyself. EUSTACE BUDGELL,
 “ Barrister at Law, is really but a very little
 “ Man, if he did but know himself; and his
 “ vaunted, self-sufficient *Wit* and *Parts* —
 “ why they are but little too, notwithstanding
 “ the Bustle *he makes with them*; and much less
 “ for the ill Use *he makes of them*. A Man may
 “ strut and make a great Noise, and at the same
 “ Time only expose his own *eminent Littleness*.
 “ When you fix yourself upon the *two Gentle-*
 “ *men* of Note, whom you mention, and stretch
 “ your Lungs to a loud Vociferation, you put
 “ me in mind of that insignificant *Animal* upon
 “ the *Coach-Wheel*, who would fain have per-
 “ suaded the People the Cloud of Dust was of
 “ his own raising. I am half of Opinion too,
 “ that *those Gentlemen*, in Return for the Com-
 “ pliment you make them, by thrusting your-
 “ self into their Company, will be very ready
 “ to brush you off, as the *Coachman* did the *noisy*
 “ *Boaster* aforesaid. Alas! alas! Sir, a *Pigmy*
 “ has but a small Chance for Notice among *tall*
 “ *Fellows*, unless he mounts upon their Shoul-
 “ ders, and then indeed he may raise a *Laugh*.
 “ If you think it convenient once more (if I
 “ may use your own Allusion) to *mount the Stage*,
 “ and make another *Bear-Garden Flourish*, in
 “ order to wound my Character, I may think
 “ myself in Honour obliged to try the Force of
 “ your Weapons. But don’t serve me as you
 “ did the last Time — fight one Battle, and
 “ begin another before I am able to mount; and
 “ so

“ so sing your Triumph for scarifying me at a
 “ Distance. The length of this Epistle obliges
 “ me to defer my Answers to several other Asper-
 “ sions and Slanders, scattered in your two last,
 “ to another Opportunity. In the mean Time,
 “ Sir, since you slight my *Prayers* for your
 “ *Prosperity*, I will, spite of you, turn them for
 “ your *Conversion*, however cruelly you think
 “ fit to treat

North Cadbury,
 Aug. 21. 1731.

Your humble Servant,

WM. PIERS.

To the Author of the Daily Courant.

S I R,

“ **Y**OUR transmitting the Inclosed to the
 “ well-known Barrister, will be consider'd
 “ as a Favour to

Your most humble Servant,

W. P.

To EUSTACE BUDGELL *Esq;*

S I R,

“ **I** REMEMBER in my first Letter, I did pro-
 “ mise the World, and you, upon a certain
 “ Condition, to set you to View in *your proper*
 “ *Colours*. You have called full loud upon me

“ to do it ; and therefore, to acquit myself of
“ my Engagement, I beg Leave to take Notice
“ of some Passages in your two last Letters,
“ omitted in my late Reply to them, in order to
“ make some farther Advances towards finish-
“ ing your Portrait.

“ You give the World to understand, that
“ *I have got into Possession of two of your Estates*
“ *by certain Tricks.* Perhaps it would not be
“ amiss, if these Tricks, as you call them, were
“ explained a little. One of these Estates I
“ gained by a Method very unlucky to you, I
“ confess ; I had not only a natural, but a legal
“ Right to it : And as it came to me by In-
“ heritance, I have secured it by Law. This
“ now is an abominable Trick to you, who
“ seem to think (if we may judge your Thoughts
“ by your Practice) the Law was intended to
“ overturn Right, not to preserve it.

“ THE other Estate was tied down (as ap-
“ pears by Articles signed and sealed by your
“ self) for the Payment of an Annuity to a
“ Life in Being ; besides, for old Arrears due by
“ your former Contract. Perhaps, you thought
“ that as the Payment of this Money was not
“ an Obligation binding upon your Conscience,
“ neither was the Law bound to oblige you to
“ the Performance of Articles. Behold again
“ the *Tricks* of this same perverse Law ! Con-
“ trary to your Expectation, and most strenuous
“ Endeavours, it has taken the Side of Justice,
“ and sentenced your Estate to pay a contracted
“ Debt. These are the Tricks you complain
“ of. And indeed it is hard, that after a la-
“ boured Pursuit of several Years, the Law
“ should

“ should so ungratefully requite and spurn an
 “ *bumble Follower*.

“ IT is somewhat remarkable, that in your
 “ long Study of the Law, you are arrived no
 “ higher than what some *Under-strappers* are
 “ expert in at their first setting out, which is,
 “ the Art of bespattering and defaming your
 “ Adversary.

“ YOUR indifferent Success in not a few Causes
 “ in our Courts of Judicature, is a pretty evi-
 “ dent Mark, either of your bad Skill in Law,
 “ or of your bad Conscience, or perhaps, of
 “ both. But for your Defamatory Art, I need
 “ no other Proofs than your two last Letters to
 “ me; wherein, for one Paragraph to the pur-
 “ pose of our Dispute, there are ten levelled at
 “ my private Character; which, whether the
 “ Matter contained in them be true or false, are
 “ quite foreign to our Question. I could wish
 “ with all my Heart you would change this Law
 “ Profession for any other, since a continued
 “ Practice is like to be the ruin both of your
 “ Credit and Fortune.

“ SOME Passages in your Letter in the *Grub-*
 “ *street*, *August* the 5th, set me o’laughing; but
 “ soon recollecting they might be the unhappy
 “ Effects of a distemper’d Brain, I grew a little
 “ more serious, and Pity got the upper Hand
 “ of Ridicule. You tell me of *furious Attacks*
 “ *made on you by Osborne, the Hyp-Doctor,*
 “ *Walsingham, and his Excellency Mr. Ulrick*
 “ *D’Ypres*. What a Regiment of formidable
 “ Heroes is here, enough to frighten a *Country*
 “ *Parson*! Had you not explained the Nature
 “ of their Attacks, I should have feared the
 “ next

“ next Post might have brought me News of
“ your Throat being cut. But *One of them,*
“ you say, *had the Assurance to represent you to*
“ *the Publick, under the worst of Characters,*
“ *namely, that of a litigious Man, who loved*
“ *and fomented Law-Suits.* Did he say this?
“ And had he the Assurance to speak so much
“ Truth? This is a Boldness and Presumption
“ which you, of all Men, may well stand aghast
“ at! But no Matter: Let loose some of your
“ Law against him for it. This you have done,
“ it seems. But (O Cruel Disappointment!)
“ he brings not only Truth with him, but Wit-
“ nesses to back her Assertions. To which I
“ can add your own verbal and written Boast-
“ ings. Yet--- O happy *Budgell!* whose Law-
“ temper’d Front can brave and deny them all.
“ But in order to *shew the Injustice of the*
“ *Aspersiun, and in what Manner you had Law-*
“ *Suits forced upon you, and how you was hunt-*
“ *ed through all the Courts, you thought proper to*
“ *publish the Case between you and me.* I cannot
“ help thinking this was a false Step; unworthy
“ the Subtlety of your Genius: For while you
“ endeavour to divert People from believing a
“ Truth which consisted in Generals, you un-
“ happily refer them to Particulars which con-
“ firm it. This was not quite so politick as
“ one might expect from a Man of your boasted
“ Sagacity. Indeed, it is some kind of Apo-
“ logy you make for your Mistake, when you
“ represent me as *ancient Clergyman, who possibly*
“ *might not know of all the Injustice and Oppres-*
“ *sion that had been committed under my Name.*
“ Truly, Sir, I have not yet heard of any. But
“ I am

“ I am apt to believe, upon full Conviction of
“ my Reason, *that Sentence* fairly interpreted,
“ would run thus : ---- *Mr. Piers being an ancient*
“ *Clergyman, and living at a great Distance, I*
“ *may safely publish what I please under the Title*
“ *of a Case between him and me.* I am truly sen-
“ sible, Sir, nothing but a strong Presumption
“ of my being indolent, unactive, or superan-
“ nuated, could have drawn you in to publish
“ so many Falshoods to your own Confusion.

“ BUT give me Leave to note by the Way----
“ If you was *hunted through the Courts*, it was by
“ Justice only, who, *as you fled from Court to*
“ *Court*, closely pursued at your Heels, and at
“ last gave you a fatal Trip. Have a Care for
“ the future of leading such a *Wild-goose Chase* ;
“ for though you make nothing of leaping over
“ all the *Fences of Right and Truth*, that same
“ *Huntress* will surely overtake and foil you.

“ You tell me, Sir, *You are fully convinced, I*
“ *am only made use of by some People, to divert*
“ *you from executing a Design they suspect you are*
“ *upon, and which, you have reason to believe,*
“ *gives them some Uneasiness.* What Designs
“ you are upon, I neither know, nor care ; but
“ if I may be Judge of them by your Designs
“ upon me, they should be to rob those Per-
“ sons either of Estate or Reputation : But he
“ who has Law to defend the One, and a good
“ Conscience to defend the Other, has no great
“ Cause for Uneasiness. That there are such
“ Rapparees and Bravo's in the World, every
“ Man must be aware ; and it is the Business of
“ Prudence and Philosophy to guard us against
“ them. But you quite mistake *the Use that is*

“ *made of me.* You are the only Person who
“ has *made use of me* ; and (as it happens un-
“ luckily for your future Attempts) to alarm
“ those Persons and the World to beware of the
“ vile Scope of your Projects. What they are
“ to expect from you, they may reasonably con-
“ clude from your Attempts upon me ; which
“ are your utmost Endeavours to blast my Fame,
“ and seize my Estate.

“ *We live, you say, in a very observing, though*
“ *a very wicked Age.* True, Sir ; and the Me-
“ moirs of your Life, faithfully written, would
“ evince the latter. But I believe scarce a wick-
“ ed Observer of them all would chuse to copy
“ your Imprudence. I know not how your Ge-
“ nius came to betray you ; but few *Adepts of the*
“ *Industry* would venture to publish Heaps of
“ apparent Scandal and Falshood, as so many
“ Proofs of their Veracity and Benevolence to
“ Mankind. Whether your Bar-Oratory, or
“ your Chamber-Counsel, recommends this Me-
“ thod, I doubt you will gain but small Practice
“ by it.

“ *YOU assure me the Age does not much mind*
“ *Mens Words, when they see them contradicted*
“ *by their Actions.* Whatever Disagreement
“ there may be between my Words and Actions,
“ I must own there is a perfect Harmony in
“ Yours. As your Actions are of the basest
“ Kind, your Words correspond exactly with
“ them : And as your Actions have plunged you
“ into your present deplorable Circumstances, I
“ fear (unless you alter your Stile) your Words
“ will help to keep you there.

“ You

“ You tell me, *You shall be infinitely obliged*
“ *to me, if I will condescend to do you strict*
“ *Justice.* Alas ! Sir, you know not what you
“ ask for ; *strict Justice* would ruin you. Con-
“ sider what *strict Justice* would be to a Man
“ who has been guilty of such complicated
“ Crimes. It is Matter of Grief to me, that I
“ cannot vindicate myself, without representing
“ you to the World as you are ; and in doing
“ this, I have forbore every Reflection, not im-
“ mediately necessary towards clearing our Dis-
“ pute. My whole Aim has been to turn the
“ Darts of your own Malice against you, with-
“ out once attempting to annoy you from my
“ own Quiver : How, indeed, should I do it,
“ when, upon the strictest Examination of my
“ Heart, I find not one envenomed Arrow there ?
“ If, after this, you appear odious to Mankind,
“ thank your self : If your turbulent, malicious
“ Nature hurries you into Mischiefs, look at
“ Home for the Cause.

“ YET think not, Sir, because I have hither-
“ to *tenderly* acted a defensive Part only, that I
“ want Matter of the blackest Dye to charge you
“ with ; and undeniable Proofs to make it good,
“ partly by Letter from yourself. But you take
“ such Pains to display your true Character in its
“ native Deformity, that you save me the Trou-
“ ble and Regret of adding to it. I shall there-
“ fore stick close to my own Vindication ; and,
“ as that requires, either exhibit, or drop all
“ new Accusations.

“ “ *YOU threaten and charge me not to oblige you*
“ *to proceed.* Why ? What have I to fear ?
“ Swell, if thou wilt, and discharge all the Poi-

“ son in thy Heart, I dread it not ; I have an
 “ Antidote within ; a Conscience that will speak
 “ Peace and Rest to my Soul, when thine may
 “ call in vain for it. You say, *You are not so*
 “ *much a Stranger to some Passages in my Life,*
 “ *and to some Management in the Law-Suits, as*
 “ *I imagine.* Speak on ! I challenge thee to
 “ speak ! What Management is it thy Vileness
 “ would insinuate ? What Injustice have I ever
 “ done thee ? Declare and prove it : And if I
 “ make thee not ample Reparation, Shame and
 “ Infamy fall on me. But thy Pride, thy silly
 “ Pride, makes thee think thou art the *Terror*
 “ *of Great Men* ; and makes thee fancy that their
 “ *clandestine Management* has helped me to my
 “ Estate, in order to undo thee. Wretched In-
 “ sinuation of a desperate—— I know not what
 “ to call thee, but by a Word too harsh and un-
 “ grateful to my Sense !

“ BUT what are those *Passages in my Life*
 “ which you threaten to bring to Light ? whom
 “ have I wronged ? whose Right have I in-
 “ vaded ? Is every Slip, every Error in my
 “ whole Life’s Conduct to be brought to Ac-
 “ count in the present Dispute ? Shame on thy
 “ Malice ! Yet, go on---- I defy thee ! Judge,
 “ all Mankind, if there is *Justice, Honour, or*
 “ *Humanity*, in this kind of Dealing ! These
 “ are the Heathen Virtues which you recom-
 “ mend to me : I wish thou wert Heathen
 “ enough to bring thee into the Road to Christia-
 “ nity. As to *Gratitude*, I owe you none.
 “ And dost thou boast thy self a Son of the
 “ Church with all this Baseness and Rancour
 “ in thy Soul ? Whether thou art a more wor-
 “ thy

“ thy Son, or I a more worthy Minister, I refer
 “ to the impartial Judgment of Mankind.
 “ BUT know, Sir, amidst all these vast Provo-
 “ cations and Menaces, and maugre all the
 “ seeming Warmth, (with which every just and
 “ peaceable Man may vindicate his injured Cha-
 “ racter,) there is a perfect Serenity of Mind in

North Cadbury,
 Aug. 30. 1731.

Your humble Servant,

WM. PIERS.

Soon after the Date of the Reverend Mr. Piers's last Letter, I fell ill of a dangerous Fever, succeeded by a Rheumatism, which made me so weak, that I was unable to turn in my Bed, without the Assistance of two Persons. It was thought that I should not have recovered; and I am told, That several of the publick Papers had actually put me to Death. This severe Sick-ness, and some other Affairs, have hitherto prevented my taking any Notice of Mr. Piers's two last Letters; but I beg Leave at present to return him the following Answer to them.

To the Reverend Mr. William Piers, Rector of North Cadbury in Somersetshire.

S I R,

“ A Very severe Fit of Sickness occasioned
 “ my not answering your two last Letters.
 “ Providence, contrary to the Expectation of
 “ most People, and my own Desires, has thought
 “ fit to raise me once more from a sick Bed. To
 K 2 “ what

“ what End this is done, or what I am designed
 “ for, I am not able to determine. Perhaps,
 “ Sir, among other Things, I am to be the
 “ mean Instrument of setting your own and your
 “ Brother’s Actions in their true Light. Since
 “ my recovering a tolerable Degree of Health,
 “ my whole Time hath been taken up by a
 “ troublesome Affair, which your *honest Brother’s*
 “ Proceedings forced upon me, and in paying
 “ a Debt of Gratitude to the Memory of one of
 “ the best and greatest Men * this Age has pro-
 “ duced. I hope, Sir, what I have said, is
 “ sufficient to excuse my not writing to you
 “ sooner; that you will have the Goodness to
 “ pardon my Omission, and to accept at present
 “ of the following Answer to every Part of your
 “ two last Letters, which can possibly seem to
 “ deserve one.

“ You begin the first of those Letters with
 “ endeavouring to shew, That I have *unjustly*
 “ charged you with asserting a most *flagrant*
 “ *Falshood*.

“ In your first Letter which appeared in Print,
 “ dated *May 26. 1731.* you only thought pro-
 “ per to deny in *general*, the several *Facts* men-
 “ tioned in the *State of my Case*; but then you
 “ threatened, That

“ *If my Infatuation should so far delude my*
 “ *Judgment, as to prompt me to call on you for a*
 “ *Proof of Particulars, you should then be obliged*
 “ *to shew me to the World in my proper Colour-*
 “ *ing.*

“ You

* The late LORD ORRERY.

“ You added, That

“ *You should observe a Conduct contrary to mine,*
“ *as believing Justice is better distinguished by the*
“ *Simplicity of Truth.*

“ IN my Answer to this terrible Letter, I still
“ ventured to assert the *Truth* of the *State of my*
“ *Case*, upon which you set about the *Work* you
“ had promised the Publick, viz. to shew me to
“ the World in my *proper Colouring*, and to
“ distinguish *Justice* by the *Simplicity of Truth*.

“ THE very *first Step* you took in this *lauda-*
“ *ble Undertaking*, after having demurely expres-
“ sed a most *christian-like* Concern, that my *Im-*
“ *prudence would not suffer you to conceal from*
“ *the World the Badness of my Nature*, I say, the
“ very *first Step* you took after this *pious Preface*,
“ was to affirm a downright *Falshood*, to affirm
“ a *Fact* which you knew was false at the Time
“ you affirmed it, and which every Man in
“ *England* may see is *false*, who will but peruse
“ the *State of my Case* in the *Appendix* to my
“ *Letter to the King of Sparta.*

“ YOUR Words were these :

“ *In the State of this Case (to which he refers*
“ *his Readers) Mr. Budgell has been pleased to*
“ *assert, That I am not the youngest Son living*
“ *of Mr. John Piers, deceased, late of Denton*
“ *in Oxfordshire ; though it is a Notorious Fact,*
“ *that I have been so more than thirty Years before*
“ *our Controversy commenced. I beg Leave to ask,*
“ *in this Place, What kind of Infatuation must*
“ *possess the Man who could hope to reap Ad-*
“ *vantage from such a Falsity, in which he was*
“ *sure to be easily detected.*

“ IN Answer to the preceding Paragraph, I
 “ told you, That the *Fact* which you asserted in
 “ it, and upon which you argued in so solemn
 “ a Manner, was a most *notorious and flagrant*
 “ *Falshood*. I told you, that I had no where as-
 “ serted in the *State of my Case*, that you are
 “ not *the youngest Son living* of your deceased Fa-
 “ ther, or any Thing like it; but that on the
 “ contrary, I always did, and still do most rea-
 “ dily *grant*, that you are *the youngest Son living*
 “ of your deceased Father.

“ LET us now see after what Manner you
 “ defend yourself in your last Letter but one
 “ against my Charge, *viz.* That you had assert-
 “ ed a most *notorious and flagrant Falshood*.

“ YOUR Words in your last Letter to me but
 “ one, in Answer to this Charge, are these:

“ *I took Notice that in the State of your Case,*
 “ *you asserted, That I was not the youngest Son*
 “ *living of Mr. John Piers deceased, &c. though,*
 “ *as I told you, I had been so upwards of thirty*
 “ *Years before our Controversy commenced: you*
 “ *now deny that you ever said any Thing like this.*
 “ *Near the Beginning of your Case I found these*
 “ *Words; — William Piers, the second Bro-*
 “ *ther, who was neither his Father's, nor his*
 “ *Mother's youngest Son at the Time of their*
 “ *Death went down to Cambridge, &c. These*
 “ *Words I did, and do still understand, in the Sense*
 “ *I have put upon them; in no other could they*
 “ *be of any Service to you.*

“ Do you really think, Sir, that it is possible
 “ your Readers can be such a Parcel of Fools
 “ and Ideots, as to take this Paragraph of yours
 “ for an *Answer* to my Charge against you,
 “ namely,

“namely, that you had knowingly affirmed a
 “*Falshood*?

“You affirmed, That I had said in the *State*
 “of my *Case*, that you was not the youngest Son
 “LIVING of your deceased Father. I told you;
 “That you affirmed a most shameful *Falshood*;
 “for that I had said no such Thing.

“Now in order to prove that I have said,
 “*You was not the youngest Son* LIVING of your
 “deceased Father, you are pleased (to the Asto-
 “nishment I dare say of all your Readers) to
 “shew, That I have said, *You was neither your*
 “Father’s, nor your Mother’s youngest Son, at the
 “Time of their DEATH.

“Do I affirm, dear Sir, that you are not the
 “youngest Son *living* of your deceased Father;
 “because I say, That you was not his youngest
 “Son at the Time of his *Death*? Might not
 “you have had ten younger Brothers when your
 “Father *died*, (which was above thirty Years
 “since,) and yet might you not be his youngest
 “Son now *living*? Was not *Laud Piers* your
 “Father’s youngest Son at the Time your Father
 “died? And was not Mr. *Laud Cade* your
 “Mother’s youngest Son by her second Husband
 “when she died? And do not these *two plain*
 “Facts fully prove the *Truth* of what I assert in
 “the *State of my Case*? Can you deny either of
 “these *two plain Facts*? Give me Leave, Sir,
 “to blush for you, since I find you are incapable
 “of blushing yourself.

“INSTEAD of taking Shame to yourself, as I
 “have heard even your noble Patron once did,
 “you persist to tell me, That you did, and do
 “still understand my Words in the Sense you have
 “put

“ put upon them. In Answer to this I cannot help
 “ saying, That it is *absolutely* impossible, either
 “ you or any Man living, who can but read Eng-
 “ lish, could understand them in that Sense. You
 “ add, That my Words could be of no Service to
 “ me in any other Sense. I am sorry you force
 “ me to tell you, That this is as *flagrant a Fals-*
 “ *hood*, as any you have yet asserted. The only
 “ Title you ever pretended to my Estate, was by
 “ Virtue of the Custom of *Borough English*. It
 “ is impossible you can be intitled to it by *this*
 “ Custom, unless you was your Father’s or your
 “ Mother’s *youngest Son* at the Time of their
 “ Death. Can any Thing therefore be so much
 “ for my Service, or so evidently demonstrate the
 “ *flagrant Injustice* of your Proceedings, as my
 “ shewing that you was neither your Father’s
 “ nor your Mother’s *youngest Son* at the Time
 “ of their Death?

“ HAVING in vain endeavoured to clear your-
 “ self of my Charge against you, namely, that
 “ you had wilfully and knowingly asserted a *Fals-*
 “ *hood*, you endeavour, in the next Place, full
 “ as vainly to charge me with one. You quote
 “ the following Words out of the State of my
 “ Case. And Mr. Budgell being assured by all
 “ the Council he consulted, that his Title was good;
 “ he laid the same before St. John’s College, who
 “ being likewise assured by their Council that the
 “ Estate was Mr. Budgell’s, admitted him to it.
 “ After these Words you place the following no-
 “ table Query; If neither the College, nor their
 “ Council assured you of this Determination, how
 “ came you to know it? I have already told you,
 “ That it was not the Business of the College to
 “ declare

“ declare to me either by themselves, or their
 “ Council, that my Title was good: Neither
 “ did they make any such Declaration *in Form*.
 “ Notwithstanding which, I have many Reasons
 “ to believe, That their Council were of Opini-
 “ on my Title was clear, and indisputable. I
 “ will give you *one* Reason for my believing
 “ this: Mr. *Creamer* acts as the College-Steward
 “ in the Manor where this Estate lies. Upon my
 “ shewing this Gentleman my Title, together
 “ with Mr. *Horseman's* Opinion, in the *strongest*
 “ *Terms*, that it was a *clear* and a *good* one;
 “ Mr. *Creamer* was so fully convinced of it,
 “ that he went down with me himself to the
 “ Manor, told the Tenant *Pazey*, That I had
 “ an *undoubted Right* to the Estate; and *drew up*
 “ the Attornment; which *Pazey* signed, and
 “ thereby became my Tenant.

“ You proceed, though much against your
 “ Will, to take some Notice of my Queries:
 “ You found you could not possibly overlook
 “ them; yet instead of giving a *distinct* and
 “ *plain* Answer to *each* of them, which I desired
 “ you would do, you have jumbled 'em toge-
 “ ther with some *Art* and *Cunning*, and then tell
 “ me *they contain the most Cruel of Charges*: *A*
 “ *Charge, which your Soul shrinks at, and detests*
 “ *as much as you do me, the wicked Inventor; or*
 “ *Publisher of it. The Sum of it (say you) is this*:
 “ *That my Brother and I put ourselves in Mourn-*
 “ *ing; went to the Tenant, by Name Robert Pa-*
 “ *zey, and assured him our Mother was dead,*
 “ *(though living at the same Time,) in order to seize*
 “ *her Jointure; that we did so, and turned her*
 “ *out a starving; which must really have been her*

L

“ Case,

“ Case, had not her Son Mr. Cade relieved, and
 “ reinstated her in the Possession of her Estate :
 “ This, as I take it, is the Substance of your Charge.
 “ Well, Sir, be it so : This Charge is one of the
 “ blackest Charges I ever heard in all my Life.
 “ Let us see the Answer you give to it ; and
 “ whether, or no, as *cruel* as you are pleased to
 “ say this Charge is, you do really *deny* it.
 “ Your Answer to it is so extremely *remark-*
 “ *able*, that I must intreat all my Readers to
 “ take particular Notice of it. *As to my Share*
 “ *in the Scandal*, (say you,) *I do solemnly aver,*
 “ *upon my SACERDOTAL WORD, it is as basely*
 “ *False, as it is barbarously Malicious.* This is all
 “ the Answer you have thought fit to make to my
 “ Charge. But does this Answer *deny* the Charge?
 “ In short, Is this Answer like the Candour
 “ and Plainness of a Minister of the Church of
 “ *England*, or the little scandalous Shuffle of a
 “ Jesuit ? Let us see what it is, that you are
 “ pleased *solemnly to aver upon your Sacerdotal*
 “ *Word ?* Why truly, nothing more than this,
 “ *that your share in the Scandal, is as basely False,*
 “ *as barbarously Malicious.* To give you your
 “ Due, Sir, you have not pawned your SACER-
 “ DOTAL WORD for very much. I do agree
 “ with you, that the Story is just as *basely False,*
 “ as it is *barbarously Malicious* : But then, Sir,
 “ you must allow me to add, that it is so far
 “ from being either *False* or *Malicious*, that it is
 “ strictly *True* ; and that, I think, I have as
 “ much Reason to assert it, as I have to affirm
 “ there is such a City in the World as *Constan-*
 “ *tinople.* Your Brother, your own Mother’s
 “ Son by her second Husband, the Reverend
 “ Mr.

“ Mr. *Cade*, a Clergyman of an unblemished
 “ Character, told me the Story, and expressed
 “ his Grief to me in the most pathetick Terms,
 “ that he had such a Relation as your self :
 “ The Tenant, *Robert Paze*, told me the very
 “ same Story in every Particular, and com-
 “ plained how grievously you had imposed upon
 “ him. I found the whole Country was ac-
 “ quainted with the Story ; and looked upon it as
 “ one of the most notorious and barbarous
 “ *Cheats* that was ever committed. Your eldest
 “ Brother himself, and his Wife, both confessed
 “ to me that the Story was *True* : Your Brother
 “ pretended at least to be sorry for what he had
 “ done, and assured me, that the whole *Plot*
 “ and *Contrivance* was *yours*. Lastly, to con-
 “ vince me fully of the Truth of this Story, I
 “ have been shewn the very *Lease* which you
 “ and your Brother signed to the Tenant *Paze*,
 “ while your *Mother* was *Living*. I think I
 “ know both of your Hands as well as I do my
 “ own, and am fully convinced that you both
 “ executed that pretended *Lease*. You do not
 “ deny that your Brother *Cade* has *dressed up*
 “ *this horrid Story* ; but then you add, that you
 “ are well aware he may have his *Reasons* for it :
 “ What those *Reasons* are (say you) I scorn to publish,
 “ till I am provoked by him. It would I believe
 “ be the most *curious Piece* this Age has seen, if
 “ you would but please to acquaint the World
 “ what could possibly make your own Brother
 “ *dress up this horrid Story* about you, if the
 “ Story, *horrid* as it is, was not *True* : I am afraid
 “ it is demonstrable, even from your own Con-
 “ fession, that either you or your Brother *Cade*
 “ must be a compleat——. In order to prove

“ your self *Innocent*, you will consider, whether
 “ it is not necessary to shew us that he is *Guilty*.
 “ I do assure you, most Reverend Sir, that, to
 “ my certain Knowledge, your Brother *Cade* de-
 “ fies you to do your worst ; and is fully satisf-
 “ fied, that his Character cannot suffer for any
 “ Thing you can say him. Your Brother had once
 “ drawn up an Account in Writing of some other
 “ of your *Exploits*, which made as uncommon
 “ an History as ever I perused. To be plain with-
 “ you, Sir, there were some *Facts* which I thought
 “ at least equal to any in the Life of *Gusman*,
 “ and which in mere *Pity* to you I endeavoured
 “ to persuade him not to *expose* : You have
 “ gratefully requited me. If your *Modesty* tempts
 “ you to appear once more in print, let me see
 “ no more *Shuffling*, or a Parcel of idle *Exclama-*
 “ *tions*, which are nothing to the *Purpose*. Give
 “ a direct and distinct Answer to each of my
 “ Queries, and particularly to this: *Did you*
 “ *and your Brother sign a Lease to Robert Pazez*
 “ *for that Estate at Thorrington, which was your*
 “ *Mother’s Jointure, while your Mother was*
 “ *Living? or did you not?*
 “ YOUR Answer to my first Quere is ex-
 “ tremely *remarkable*. I desire to know, If you
 “ only rely on the *Justice* of your Cause? and
 “ not on some Things which you know I dare
 “ not *name*, why you will not submit the Dis-
 “ pute between us to be determined by any emi-
 “ nent and indifferent Council learned in the
 “ Law?
 “ You answer, *Because I am in legal Possession*
 “ *of my Right*, (meaning the Estate at *Thorring-*
 “ *ton*,) *which I believe no Man would ever give up,*
 “ to

“ to have his Title canvassed afresh, at the Caprice
“ of an insolent Pretender.

“ I UNDERSTAND you, Sir, perfectly well ;
“ You know as well as I do, that your Title is
“ not good, and are therefore resolved not to sub-
“ mit it to any Council. You say you are in
“ the *legal Possession* of the Estate in Dispute be-
“ tween us : Do not take it amiss, Sir, if I ac-
“ quaint the Publick by what means you got
“ into this *legal Possession*. You brought an
“ Ejectment against my poor Tenant. To this
“ Ejectment I was obliged to make my self a
“ Party : I could not but think my self sure of
“ my Cause, since not only my own Council, *viz.*
“ Mr. Serjeant *Darnell*, and Mr. Serjeant *Baynes*,
“ but even the Council you had consulted, de-
“ clared my Title was good : You brought on,
“ however, your Cause at *Chelmsford* ; but in-
“ stead of entering at all into the *Merits* of your
“ pretended Title, which would have ended all
“ Controversies between us, (but which you very
“ well knew was not good,) you only produced
“ a Lease for three Years, which you had per-
“ suaded my poor ignorant Tenant to take from
“ you, and which I never heard, or dreamt of,
“ till you produced it in Court. This Lease
“ being what the Lawyers call an *Estoppel*
“ against the Tenant in Possession, by this
“ *shameful Trick*, if any Thing may be called a
“ *Trick* in the Law, you got a Verdict against
“ me, and what you are pleased to call *legal*
“ *Possession*. By a *Trick* of the very same kind,
“ you got *legal Possession* once before of this very
“ Estate while your Mother was living. To
“ be relieved against this *Trick* of yours, I was
“ advised

“ advised to bring a Writ of Error in the House
“ of Lords, to gain Time, That I might apply
“ to Chancery for *Relief*. Upon this Writ of Er-
“ ror, it is certain your Success against me was
“ so very extraordinary and remarkable, that I
“ believe there is hardly a Lawyer in *England*,
“ who has not heard of it.

“ SINCE I wrote to you last, your honest Bro-
“ ther, whose Cause you defend, is likewise got
“ into what I presume he calls a *legal Possession*
“ of all my Goods, and several Papers (to the
“ value of perhaps Two Thousand Pounds) which
“ were in my House at *Denton*. He got into the
“ *legal Possession* of these, by breaking open my
“ House in the Night, and taking them away.
“ It is true, he did not perform this Exploit
“ till he heard I was upon my Death-bed, and
“ I believe thought me actually dead. Thus,
“ Sir, you have got a *legal Possession* of my
“ *Estate*, and your honest Brother of my *Goods*
“ and *Papers*. I am too well convinced, Sir, by
“ woful Experience, That it is in vain for me
“ at *this Time* to dispute any Point with either
“ of you at Law ; yet, give me Leave, Sir, to ask
“ you one serious Question : If there is a Supreme
“ Being, who is strictly just, and takes any No-
“ tice of human Affairs, can you possibly be-
“ lieve that such horrid Acts of Oppression,
“ Cruelty, and Injustice, will pass unpunished ?

“ In my Letter to you of last *August*, the 7th,
“ since I found you and your Lady had quite
“ forgot some Things, and that you took the Li-
“ berty of treating me with such hard Epithets,
“ as *base*, *vile*, and *insolent*, &c. I presumed gently
“ to put you in mind, That such sort of Lan-
“ guage

“ guage was not quite so decent, considering
“ your Wife had been my Aunt’s *Servant* many
“ Years, lived in my *Father’s Family*, and that
“ I my self had been particularly kind to her;
“ and considering that the *Money* she got in her
“ *Service*, with a *generous Legacy* her Mistress left
“ her, had served to pay off your most trouble-
“ some *Debts*.

“ To this you answer,

“ *I should take no Notice of your contemptuous*
“ *Treatment of my Wife, was it not to shew you*
“ *(I wish it may be to the Conviction of your Con-*
“ *science) that Truth and you are irreconcilable*
“ *Foes. ’Tis strange you cannot relate a trifling*
“ *Circumstance, without falsifying it. Remember,*
“ *Sir, my Wife was a First-Cousin to your Aunt;*
“ *under whom she received her Education, and*
“ *with whom she lived as a Companion, not a Ser-*
“ *vant, as you maliciously and foolishly declare.*
“ *That her Wages paid my Debts, is an Assertion*
“ *of yours of the same Complexion with the rest,*
“ *false and silly.*

“ YOUR Assertion that your *Wife* was my
“ Aunt’s *First-Cousin*, is, I confess, a very sur-
“ prizing *Piece of News* to me. One Thing I
“ am sure of, *viz.* That my Aunt never called
“ her any Thing but plain *Betty*. If you will
“ not let me to say, That she was my Aunt’s
“ *Servant*, you must at least, Sir, allow me to
“ affirm, That my Aunt had no *other Servant*;
“ and that I have seen your Lady, with my own
“ Eyes, an hundred and an hundred Times,
“ washing my Aunt’s Linnen, and either emp-
“ tying or scowering a certain Utenfil which
“ the finest Ladies have sometimes Occasion for.

“ I do

“ I do not deny, Sir, that she is become a *Gentlewoman*, since you have done her the Honour
 “ to make her your *Wife*; nor do I at all doubt,
 “ but that if your extraordinary Merit and *Ser-*
 “ *vices* should procure you a *Bishoprick*, she
 “ would do the Honours of your Table in a
 “ proper Manner. I never heard but that she
 “ served my Aunt faithfully, and honestly; nor
 “ is there any manner of Harm in her having
 “ been a Chambermaid; yet if Ladies, when
 “ they grow *Great*, will intirely forget what
 “ they once were, it cannot be amiss to put them
 “ gently in mind of it. You assert, That she
 “ lived with my Aunt, not as a *Servant*, but as
 “ a *Companion*: Pray, Sir, will you be so kind as
 “ to ask her one Question; When she was in our
 “ Family, did she sit with my Aunt at my Fa-
 “ ther’s *Table*, or not? I dare say she will not
 “ assert she did; because there are at least an
 “ hundred People now living, who could con-
 “ tradict her. Indeed, Sir, my Father at that
 “ Time would as soon have admitted his *Cook*,
 “ or his *Coachman*, to have sat with him at his
 “ Table as your *Lady*. How much should I
 “ scorn to mention these Particulars, did not
 “ you oblige me to it, by charging me with a
 “ *Falshood*! Why will you and your *Lady* force
 “ me to tell you such *Truths* as I find are not
 “ very pleasing to you? That she has as great
 “ *Obligations* to my Family, as a Woman can
 “ well have, is certain; that the Money she got
 “ in my Aunt’s *Service*, with what her Mistress
 “ left her when she died, helped to pay your
 “ Debts, is as *notoriously* known, as it is that
 “ you were over Head and Ears in *Debt* when
 “ you

“ you left the University of *Cambridge*. What
 “ Money you may now be worth, what Sums
 “ you may have had for *secret Service*, I shall
 “ not pretend to determine.

“ As to your frequent Hints and Insinuations
 “ in your Letters, that I am a *Madman* ; This,
 “ Sir, is a Point which I never yet disputed, nor
 “ I believe ever shall. The King of *Sparta*,
 “ his Brother *Ulrick*, Mr. *Osborne*, the *Hyp-Doc-*
 “ *tor*, and Mr. *Walsingham*, have all of them
 “ strongly affirmed this Fact. Hard is their
 “ Fate, if they have not been able to convince
 “ the World of what I never yet denied.
 “ Methinks it is a sort of Reflection upon all
 “ these able Writers, for you, Sir, to imagine,
 “ That even your *sacerdotal Word* could make
 “ a Thing more plain, which they have long
 “ since so clearly *demonstrated*. Believe me,
 “ Sir, your harping so very often upon this
 “ String, can only serve to convince the World
 “ in whose *Service* you are *listed*, and to what
 “ Clan of Writers you belong.

“ You conclude your last Letter, with assuring
 “ me, That *amidst all my Provocations and Me-*
 “ *naces*, you enjoy a *perfect Serenity of Mind*.
 “ It is certain there is no greater Happiness, than
 “ for a Man engaged in Controversy, to enjoy
 “ that *Serenity of Mind* which you assure me
 “ you are so perfect a Master of. Upon my
 “ searching your two last Letters to me, for some
 “ Marks of this *serene Temper*, I find the fol-
 “ lowing Expressions. *I am necessitated to detect*
 “ *the Vileness of your Nature. Prithee, if the Pride*
 “ *of thy Heart will give thee Leave, take a short*
 “ *Survey of thy self.* Eustace Budgell, Barrister

“ at Law, is really but a very little Man, if he
 “ did but know himself; and his vaunted self-suf-
 “ ficient Wit and Parts, why they are but little
 “ too. O happy Budgell! whose law-tempered
 “ Front, &c. what Management is it thy Vileness
 “ would insinuate? Swell if thou wilt, and dis-
 “ charge all the Poison in thy Heart: I have an
 “ Antidote within, a Conscience that will speak
 “ Peace and Rest to my Soul, when thine may call
 “ in vain for it. Some Passages in this Letter set
 “ me o’ laughing; but soon recollecting they might
 “ be the unhappy Effects of a distempered Brain,
 “ I grew a little more serious, and Pity got the
 “ upper Hand of Ridicule. Thy Pride, thy silly
 “ Pride, makes thee think thou art the Terror of
 “ great Men, and makes thee fancy that their clan-
 “ destine Management has helped me to my Estate,
 “ in order to undo thee; wretched Insinuation of a
 “ desperate —— I know not what to call thee; but
 “ by a Word too harsh and ungrateful to my Sense.
 “ Is every Slip, every Error in my Life, to be
 “ brought to Account in the present Dispute?
 “ Shame on thy Malice! I defy thee! Judge all
 “ Mankind, if there is Justice, Honour, or Hu-
 “ manity in this kind of Dealing! These are the
 “ Heathen Virtues which you recommend to me: I
 “ wish thou wert Heathen enough to bring thee into
 “ the Road to Christianity. As to Gratitude, I
 “ owe thee none. Dost thou boast thyself a Son of
 “ the Church, with all this Baseness and Rancour
 “ in thy Soul? Whether thou art a more worthy
 “ Son, or I a more worthy Minister, I refer to
 “ the impartial Judgment of Mankind, &c. &c.
 “ &c.

“ FAR

“ FAR be it from me, Sir, to refuse even an
 “ Enemy that Commendation which is justly
 “ due to him. When I look upon the foregoing
 “ Sentences, all faithfully extracted out of your
 “ two last Letters, I must ingenuously own, I
 “ am at a Loss whether I ought chiefly to ad-
 “ mire your *Meekness* and *Charity* as a Clergy-
 “ man, your *Piety* as a Christian, your *good*
 “ *Breeding* as a Gentleman, or your *Serenity* as
 “ a Philosopher.

“ You cannot, Sir, expect, that an unhappy
 “ *Lunatick* should be able to imitate this *Sere-*
 “ *nity of Mind*, which you so justly boast of,
 “ and are so *eminently* bless'd with ; I therefore
 “ trust in your known Goodness, that whenever
 “ I have exceeded the Rules of Decency and good
 “ Manners, you will *charitably* impute it, either
 “ to the *Starts* of a *guilty Conscience* touched to
 “ the *Quick*, or to the *Ravings* of a *Madman*
 “ when his *Fit* is upon him. I am,

S I R,

Your Most Obedient,

And Most Humble Servant,

June 29.

1732.

E. BUDGELL.

I HAVE done with the Reverend Mr. *William Piers*: I proceed to say something of his *Honest* Brother *John Piers*. This Man had an Estate of about One hundred Pounds *per Annum*, Part of

M 2

which

which was only Leasehold. There was a Mortgage upon it for about 700*l.* and a *Judgment* by his own Confession for 1000*l.* besides which he owed Money to a great many People. His Necessities were so great, that I have many a Time lent him small Sums to buy *Bread* for his Family. I was induced to be kind to him, by his having married a Woman who was related to me; and may Providence never bless either me or mine, if I did not most sincerely love this Man: I had resolved to make his Life easy and comfortable. He was every Day in Apprehension of being flung into a Goal, and had often begged me, even with Tears, to settle his unhappy Affairs, and buy the Reversion of his Estate, which he had long endeavoured to sell in vain. This was in 1719. just before the *South-Sea*, and when I had a large Sum of ready Money by me. I at last complied with his Request, and took his Estate with so little Satisfaction about the *Title*, that I am well assured no Man but myself would have laid out his Money on the same Terms. I took his bare *Word* for all Particulars relating to the Estate; but have since found that almost every Thing he then told me was *false*. For the Reversion of this Estate, and of his Mother's Copyhold at *Thorrington*, I paid him *eight hundred Pounds* in Money, forgave him all the Sums he owed me, and agreed to discharge the Judgment for *one thousand Pounds*. By Writings properly executed, I was to have the immediate Possession of one half of the House and Gardens, and *Piers* was strictly obliged not to cut down any Timber or Wood. Some Time after I had paid my Purchase-Money,

ney, he cut down great Quantities of Wood, a whole Grove of fine young Trees, and a long shady Walk in the Garden, which he very well knew I was most particularly fond of. I found it necessary to stop such shameful Devastations; but as I ever abhorred a Law-Suit, I offered to refer all Differences between us to any one Man of Honour and Reputation in the whole County. Two Gentlemen, who made a conspicuous Figure in it, who were Mr. *Piers's* particular Friends, and had known him many Years before they knew me, offered at different Times to settle all Things between us. I immediately embraced their kind Proposal, and offered to submit all my Interest intirely to either of them. To their infinite *Surprize*, they found that *Piers* would hearken to no Terms, nor agree to any Arbitration. I dare appeal for the Truth of this Fact to two Persons in *Oxfordshire*; one of whom is an Ornament to the highest Order of the Church; the other is no less eminent for his Humanity, than for his Station and Skill in the Law. They have both constantly done, and I am very sure will always do me full *Justice* upon this Head.

John Piers has not quite so much *Cunning* as his younger Brother the Parson. His *Tongue* sometimes gets the better of his *Discretion*, and he has often told me in a Bravado, that *Though* he had no Money himself, yet that there were People somewhere, who would support him in any Cause, and with any Sum against me; that they had resolved to give me a Belly full of Law, to get me into a Goal, and make me rot there.

SOME

SOME of his Proceedings against me, in Confidence of his being thus *supported*, have been so uncommon and extraordinary, that I beg Leave to give you an Account of them. I am very well assured you will not think it tedious.

IN order to put a Stop to his Devastations upon my Estate, I went down myself to live in the House, of which I was intitled to one Moiey from the Time of my Purchase. Upon my coming down, *Piers* thought proper to remove to a Farmer's House about half a Mile distant. He took away all his Beds, and what Goods with him he thought proper; but having sent for Beds, and other Things, from my House in *London*, I did well enough with my little Family. I had lived there for some Time, when one Morning two Bailiffs came into my Bed-Chamber, arrested me in an Action in *Piers's* Name, and told me, *If I did not give immediate Bail, they would carry me to Oxford Goal.* I have forgot at present the Sum for which I was arrested. The Bailiffs were immediately followed by *Piers* himself, who came into my House at the Head of a Mob, which he had got about him. I desired to know of him before forty Witnesses, *Why he arrested me?* and offered immediately to pay him 500*l.* if he could prove I owed him *five Shillings.* He absolutely refused to declare *why I was arrested*; but told me with a Laugh, *I should know that at a proper Time.* Though I was almost a Stranger in the Country, I made a Shift to find *undeniable Bail* for this Action; and the Bailiffs having no farther Pretence to stay with me, left my House. *Piers* and his Mob still stayed, insulting me with

the most abusive Language. I at last lost all Patience, and was going to have caned one of them. A Gentleman of a good Estate in the Country, who had been one of my Bail, prevented me, and taking me aside, told me, *He thought he saw a great deal more in this Affair than I did; that he believed I was purposely provoked to make me strike; and that if I did so, I should be immediately murdered.* What he said appeared of so much Weight to me upon some little Reflection, that I resolved patiently to endure all Insults, and only took care to keep three of my Servants about me. When *Piers* found I was not to be *provoked*, he locked up me and my Servants, *viz.* a Footman, a Gardener, and a Servant Maid, in the Room where we were. The Mob, who were with him, immediately set up a loud *Huzza*, and dispersing themselves over all my House, took away whatever they pleased. One of my Men lost a Silver Watch, which had cost him *five Pounds*, a large Sum in a poor Servant's Pocket. As I was under Confinement, I could not say who took away any of my Goods. When my Servants and I had been kept Prisoners about two Hours, and the Mob had done what they pleased, *Piers* thought fit to unlock the Door, and release us. I think I may safely aver, the *Action* he arrested me upon was a *Sham* one, since he never brought it to a Trial; nor do I know to this Hour why I was thus arrested. Upon consulting Council, I was advised to bring an Action against *Piers* for *false Imprisonment*; and my poor Servants, who had been shut up with me, and sufficiently abused or frightened, were likewise advised to bring
their

their several Actions. The Trials came on at the *Oxford Assizes*. I proved the Particulars above mentioned by several Witnesses, and could have called a great many more. It was absolutely impossible to prevent my having a Verdict. I had one : But what *Damages* do you think, Sir, I had given me for being thus arrested on a sham Action, robbed, abused, insulted, and imprisoned in my own House ? As poor a Man as I am, I will venture to lay you a Guinea you do not guess within *five hundred Pounds* ; I never yet met with any Man that did. The *Damages* given me were ONE FARTHING.

ALLOW me to say, Sir, that I as little thought *one* Day as you, or any Gentleman in the House of Commons can now think, that my *Liberty* would have been valued at *this* Rate. I am determined to fix this *Fartling* in the Midst of a gilt Frame, and to put this *Inscription* round it :

Anno Dom. — The Value of the Liberty of
an Englishman.

I might, perhaps, add, of an *English Gentleman*, who had been in several considerable Posts, and done important Services for the House of Hanover. Should my Fate ever carry me again into foreign Nations, I fancy no Body who saw this *Fartling*, could doubt how firmly *Liberty* was established and protected by *Law*, in the happy Island of *Great Britain*.

I KNOW it is my Duty to think, that the Proceedings in Courts of Justice are strictly *just* ; yet I must own one Thing at first a little stuck with me : Though the *Damages* given me were

but

but *One Farthing*, two of my *Servants* had *one Shilling* given to each of them. I will not think that this *Distinction* between us was made on Purpose to *insult* and *mortify* me. *Damages* in these Cases have been always proportioned to the *Quality* of the Person injured : Since I must not therefore imagine that *Partiality*, or an improper *Influence* is got into our *Courts of Justice*, I am resolved stedfastly to believe, That my own *Footman* was *eight and forty* times a better Man than his *Master*.

THOUGH I made no Complaints myself, my Tryal above-mentioned made a good deal of *Noise*. As soon as I came to Town, an eminent Gentleman at the Bar sent to desire to speak with me : He told me *My Tryal at Oxford had been the Subject of a Publick Conversation among a great many Gentlemen of the Long Robe ; That a Person eminent at the Bar, who affirmed he was present at it, had given them an Account of it ; but that there were some Particulars so very uncommon, that he hardly knew how to believe them ; and that this was the Reason of his sending for me.*

I TOLD him *I never loved fruitless Complaints ; and added (what was strictly true, viz.) That I had not told the Story myself to any Body.* I desired, however, to know *what he had heard ?* Upon his acquainting me, I assured him that the several *Facts* he had mentioned were *True*. *If it be so, Mr. Budgell, (says he,) it was a most infamous Verdict ; there was never such a one since Magna Charta : You should not look upon this as your own private Case ; 'tis the Concern of every Gentleman in England : One of his Majesty's Serjeants is of the same Opinion with me ; and if you*

N

agree

agree to it, will immediately move, that you may have a new Tryal granted you, and that the shameful Record, of your Farthing Damages (which will otherwise remain a Scandal to the Laws of England) may be cancelled. I thanked him for his Friendship ; but had seen too much, to desire to begin again. I made some Observations at the Tryal ; which were so very obvious, that I believe I may safely assert, there was not one Person in the whole Court who did not make them as well as my self. This Thing was not done in a Corner.

I PREFERRED a Bill in Chancery against this *John Piers*, to compel him to the Performance of an *Agreement* signed with his own Hand, and witnessed, but which he resolutely refused to perform. He immediately preferred a *Cross Bill* against me ; so that I found myself engaged in Two very expensive Suits in Chancery, and a good Quantity of Business cut out for Council, Attorneys, Sollicitors, Clerks in Court, Commissioners, Agents, Evidences, Bailiffs, Under-Sheriffs, &c. &c. My Adversary (though not worth *one Groat*) was so plentifully supplied with Money, so zealously served, and so strongly supported, by some Body or other, that after *some Years* spent in LAW, and a vast Expence, I found myself unable to contend with him any longer : I have been obliged, for several Years past, to let this Law-Suit sleep, though I have every Year suffered very great *Loss* and *Damages* by *Piers's* not executing an Agreement he had made with me, and which was most evidently very much for his own Advantage : By this Agreement I was to have taken the Estate into my

my own Hands, to have paid *Piers* Fourscore Pounds a Year, Nette-Money, during his Life, (which was more than ever he made of it,) and to have discharged him from keeping in Repair the House, Outhouses, and Garden-Walls, which he was by the *first* Covenants between us obliged to do.

I PROCEED to give you an Account of his *last Exploit*, which I do assure you is extremely famous in *Oxfordshire*. I left my House upon this Estate (*Piers* being settled for several Years past in a little Thatched Cottage, at a Distance from it) to the Care of a Servant. He has been in the undisturbed Possession of it for several Years past; and I have paid him above *Threescore Pounds* for his Pains, since he first looked after it. I left my House (which is a pretty large one) decently, though not richly furnished: My Servant who had, and still has the Keys, lives with his own Family at the other End of the Parish; but used constantly to go down once or twice a Day to see that all my Goods were safe. Some Time since, under the *Mask* of an *Execution*, my Papers at my House in *Arundel-Street* were seized upon, and rifled in a most villainous Manner. I made my Complaints of this *Horrid Outrage* in a proper Place, as I thought at least, and with proper *Affidavits* in my Hand; but could get no *Redress*; and upon consulting the most eminent Council, found it was in vain to hope for any. I had still Papers by me of great Consequence to my own Affairs; and some, as I conceive, of no less Consequence to the *Publick*. After what had passed, I was very uneasy at having these Papers with me in the *Fleet*, and

yet scarce knew who to trust with them. I at last thought they would be thoroughly safe in a *strong Chest* and a *little Closet*, in one of the *Garrets* in my House in *Oxfordshire*; since the House stands by it self, is built of *Stone*, and, as no Body lived in it, could not be fired, unless it was done on Purpose. Upon these Considerations, I intrusted my *Papers* to an old Servant, who has lived with me a great many Years. I ordered her to go down to *Oxfordshire*, to get a strong Chest, which I described to her, removed up into the Closet; to put *New Locks* and *Keys* both upon the *Chest* and the *Closet-Door*; to lock them carefully, and bring up the two *Keys* with her to *London*; and not to leave them with my Servant in the Country, who had the *Keys* of all the rest of the Rooms in the House. My Maid went into *Oxfordshire*, and returning to me in a few Days with Two *Keys*; assured me, she had *exactly* executed my Orders; and that to avoid any *Talk* about *Papers*, she had likewise put some *Linen*, and other Things into the *Chest*. She had been in Town several Months, when I happened to fall into a very ill State of Health. During my Sickness, I received a Letter from my Servant in *Oxfordshire*, acquainting me, That my House had been *broke open* in the *Night*, and several Goods taken out of the Hall, though he could not say by whom; but that he had secured all the Doors again, faster than ever. Soon after, I received several other Letters from him, to acquaint me, That my House had been broke open several Times, and Part of my Goods stolen each Time; though he had not yet been able to discover the Villains. All I could do in my
unhappy

unhappy Circumstances was, to charge him to watch the House carefully for the future, and to do his utmost to discover who the Villains were that robbed it. At last, he sent me Word, in the Month of *March* 1731, That he had surprized that very Morning one *Badcock*, a most notorious Rogue, and who had been several Times in Gaol, one *Gillman*, a Day-Labourer, and *John Piers*, who had broke open my House the Night before, as he supposed, because they had got all my Goods into the Court, and were actually carrying away the last of them; when he came upon them; That *Piers* and *Gillman* looked (to use his own Words) *as if they had been cut down from the Gallows*; and, that he told them they were base Men to break open his Master's House, and steal his Goods; That he could not get one Word from *Piers* and *Gillman*; and that *Badcock* only said, *He could not tell where they had the Goods*. He let me know by some other of his Letters, that all the Country cried out, *Shame!* upon this barbarous Proceeding against a sick Man under Confinement, and unable to help himself: That *Piers's* best Friends, among whom were a certain Counsellor, and an Attorney, who had formerly gone great Lengths to serve him, declared publickly, That this was so flagrant a *Felony*, that they would never more have any Thing to do with him.

I HAD strong Reasons to believe, that my poor Servants applying for *Justice* would signify nothing; and I was under violent Apprehensions, that he might be taken off from giving his Evidence: I resolved therefore, sick as I was, if possible,

possible, to go down my self. By making a Deposit in the Bank of 250 l. I put myself out of the Power of two Persons to whom I do not owe One Farthing, and who are suing me for a pretended Debt, with no Design, but to ruin me. My few Honest Creditors, who know I will pay them as soon as ever I can, gave me free Leave to go wherever I pleased: So that in *August* last, I got down to *Oxfordshire*, in an ill State of Health myself, and forced to leave a Servant upon the Road, whom I took with me, and who was almost killed with a Fall from an Horse. My House lies about five Miles from *Oxford*. I went directly to *Oxford*, concealing myself as much as possible, and from thence sent to my Servant, who had the Care of my House, to come privately to me. Upon talking with him, I found that my House was entirely stripped from Top to Bottom; that even the little Closet in the Garret was broke open, and the strong Chest with all the Papers in it carried off. I immediately took him to a Justice of Peace, to make Oath of the several Facts he had told me. The Fellow, upon Examination, gave the same Account of every Thing as he had before done to me, both in his Letters and by Word of Mouth. The Justice, while he was taking down his Examination in Writing, said, two or three times, *That is Felony*; and, *That brings the Felony home to Piers: That fixes the Felony upon Piers*. When my Servant had sworn to the Contents of his Examination, I desired a Warrant against the three Fellows who had broke open and robbed my House. A Warrant was granted me readily enough against *Badcock* and *Gillman*;

Gillman ; but no Intreaties of mine could possibly prevail, to obtain a Warrant against *Piers*. I confess, I have ever thought that *Justice* ought to be *equal* to all Men : It appeared by my Servant's Oath, That *Piers* was the *principal Offender* ; and that one Part of my Goods which were stolen were hid in his *Barn*, and another Part carried to his *House*.

I BEG Leave, in this Place, to make a short Digression upon the *Commission of the Peace*, as it has stood of late Years in the County of *Oxford* ; and to shew you, That an *Oxfordshire* Justice can, when he thinks *proper*, be less *Delicate* and *Complaisant* than this Gentleman was in the present Case, to a Man who has often absconded for *Debt*, and, to my certain Knowledge, is not now worth *One Shilling*.

I WILL shew you, Sir, that an *Oxfordshire* Justice can, when he thinks *fit*, treat even an *Innocent Person* in a very different Manner.

SOME Years since, two Fellows were prevailed upon to swear the Peace against me. I found them endeavouring to break down one of my Gates, and told them, That if I caught them again at that Sport, I would order my Servants to fire upon them, or would do it myself. This was the real *Fact*. Upon these Fellows swearing the Peace against me, I was taken up with a Warrant by a *Constable*, carried away five Miles before a certain *Justice*, and treated by this worthless Creature with as much *Insolence*, as if I had been a common *Pick-pocket*. I was bound over, as usual, to appear at the next *Sessions*. If I had appeared, I must have had up my Recognizance of *Course*. My not appearing was therefore a
Prejudice

Prejudice to no Man, but to myself and my Sureties. I was detained in *London* by Affairs of Consequence: Yet, because I did not leave all my Business, and appear at the Sessions in *Oxford*, (though no new Complaint was made against me) an Order was made at the Sessions, That my *Recognizance* (which, as I remember, was *threescore Pounds*) should be estreated.

O HAPPY *Britain!* O fortunate *Englishmen!* among whom *Justice* (the full Reward for all those immense Sums, and heavy Taxes you pay yearly to the Government) is thus *equally*, thus *impartially* administered!

I KNOW not in what Light Things have been represented to the Lord Chancellor; but I shall lay before you two other plain *Matters of Fact*.

Mr. Serjeant *Skinner*, a Gentleman of an unblemished Character, in considerable Business, eminent at the Bar, and Recorder of *Oxford*, who by Virtue of the City Charter may try a Criminal for a *Capital Offence*, and cause him to be *Executed*, as he actually has done; I say, Sir, this very Gentleman, thus qualified, and thus distinguished, was for several Years together kept out of the *Commission of the Peace* in *Oxfordshire*.

UPON his present Majesty's Accession to the Throne, when all the Commissions of the Peace were renewed, as I designed to settle in *Oxfordshire*, and had no Mind to be insulted by all who might think it meritorious to use me ill, because I was no *Favourite* of the *First Minister's*, I had a Mind to be in the Commission of the Peace: I was at the *Bar*, (which Circumstance alone, was always thought a sufficient *Qualification* for a Justice of Peace,) I had at least *One thousand Pounds*

Pounds per Annum, which lay in *Middlesex*, *Oxfordshire*, and other Counties: I had been in several considerable Posts under the late King, and shall make no Scruple to say, That I had done the House of *Hanover* some Services: I applied upon this Occasion to a Brother-in-Law, who is a Member of your House, one of his Majesty's Council, and has two considerable Posts. My Brother (with whom, till I had openly declared against a certain great Man, to whom he has personal Obligations, I lived in a perfect Friendship) readily promised to get me put into the *Commission of the Peace*. He did accordingly speak to — *Martin Esquire*, the Lord Chancellor's Secretary. I waited twice myself upon the same Gentleman; and was in hopes of obtaining this *only* Post I ever applied for since his most gracious Majesty's Accession to the Throne. But when the *Commission of the Peace* for *Oxfordshire* was renewed, my Brother was not a little surprized (I had seen *too much* to be surprized at *any Thing*) to find that I was left out of it.

AMONG all the Acts of Parliament which passed last Sessions, I am humbly of Opinion, there was not a better Act than that for *Regulating the Commission of the Peace*: I am afraid the Power of a Justice of Peace, (which is every Year growing greater) has been too often intrusted to very *improper Men*, and abused in the most *scandalous* Manner. I have myself made a Collection of some *Facts*, which may one Day be of use. Your providing that no *Attorneys* should be in the Commission, was a most wise and necessary Regulation: How often those Men have made the Power of a Justice of Peace sub-

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servient to their own *Interests* and *base Designs*, is pretty notorious. I should be loth to assert too positively, that this Power was never abused by *Gentlemen at the Bar*. You may possibly, Sir, find it necessary one Day or other to take effectual Care, that no two or three Men linked together, and countenanced by a *first Minister*, shall have it in their Power to *ride* and *tyrannize* over a whole County.

I RETURN from this *Digression*, to the Relation of my own Affair.

I WAS not able, as I have already told you, to obtain a Warrant for the apprehending of *Piers*. All I could prevail upon the Justice to do, was to send him a *Letter*, wherein he acquainted him with what my Servant had sworn; and let him know, That if he did not appear before him, he should be obliged to grant a Warrant against him. I took the Liberty to let the Justice know, that I conceived such a Letter was little better than giving *Piers* fair Warning to run away. That I was satisfied he, and the other two desperate Fellows, who had broke open and robbed my House, were encouraged to do what they did from a Belief that I was dying; and that I was persuaded they would all three of them run away, as soon as ever they heard I was in the Country. But all my Reasons and Arguments were not sufficient to procure a Warrant for the apprehending of *Piers*.

I SHALL in this Place do the Gentleman in the Commission of the Peace to whom I applied the Justice to acquaint all my Readers, that he is generally thought to be at least as *Learned* in the *Law* as any one Man in *Oxfordshire*, and is a
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sort of Oracle in the County. He has very good Business, as fair a Reputation as most Gentlemen at the Bar, and has ever been looked upon as a staunch Whig. I have heard, indeed, that he is not altogether unknown to a certain *Great Man*, who I do not take to be my *Friend*; but am very unwilling to think that a View of pleasing any Man, should have any Influence over his Manner of acting in the Commission of the Peace: I must likewise do him the Justice to own, that though I could not obtain from him what I desired, I was treated by him with great Civility and good Manners: But when I have done him the Justice to allow all this, the learned Gentleman must excuse me, if I take the Liberty to relate *Matters of Fact*, especially since I find my Ruin compleated by his refusing me what I humbly conceive, at least, I had a Right to demand, and since I do not know how soon some of my Fellow-Subjects may be in the same Circumstances with myself.

FINDING I was unable to obtain a Warrant for apprehending *Piers*, I desired, that I might have a Warrant to search his House and Barn for my Goods. My Servant swore positively, that one Part of them were in his *House*, and another Part hid in a *Barn* which stood in a Field at some Distance from his House.

Mr. Justice made some Difficulty to grant me such a Warrant; at last, however, I obtained a Warrant from him in the following Words:

Oxon' ff. To the Constable of Cuddesdon in the said County, and also to the Constable of Denton in the said County of Oxon, and to each of them.

WHEREAS it hath been proved upon Oath before me, one of his Majesty's Justices of the Peace for the said County, That several Goods belonging to Eustace Budgell Esquire, have been stolen out of his House in Denton in the County of Oxon; and that the said stolen Goods are now in the House of John Piers of Cuddesdon aforesaid; These are therefore, in his Majesty's Name, to require you to search the House and Barn of the said John Piers, in Cuddesdon aforesaid, for the said stolen Goods; but you are not to break open any Door, or to do any Thing therein which is illegal. Given under my Hand and Seal this 27th Day of August, 1731.

John W——t.

(L. S.)

I BELIEVE I may defy any Man in England to match this Search Warrant: It appears, upon the very Face of the Warrant, that it had been proved upon Oath, That my Goods had been stolen; and that the said stolen Goods were in the House of John Piers. Upon which Mr. Justice commands the Constable, in his Majesty's Name, to search the House and Barn of the said John Piers for the said stolen Goods; and yet, immediately after, expressly orders him not to break open any Door. How to make these two Orders consistent with one another, is, I confess, past my Skill; and I am afraid, would a little puzzle even the Learned Gentleman who gave them.

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I represented to him, that he was commanding *Impossibilities*: I desired nothing more but that he would give me a *Search Warrant* in the *common Form*, and allow the Constable to execute it as he did all other Warrants of the same Nature. I even offered to give him sufficient *Security* to save both himself and the Constable harmless for so doing: I told him the meanest *Cobler* in *London* was never refused what I now asked; and that no body knew better than himself, that all the Justices in *England* issued their Warrants to search Houses without any *Restriction*, when positive *Oath* was made before them that stolen Goods were in such Houses.

HE confessed that most Justices did act in that Manner; but added, That having considered how the *Law* stood, he did not take such Warrants to be *legal*; and therefore must desire that I would excuse him from granting me such a Warrant.

IF the Law stands as this Gentleman says, I own he has done me no Injury; but then one Thing I am sure of, *viz.* That if, when our Houses are broke open, and we know *where* our Goods are carried, we must not be fully impowered to search for them, it is high Time that all *Englishmen* should know in how *blessed* a Condition they are, and how firmly their *Properties* are secured to them. I believe, Sir, I may venture to assure you, that if the *Tradesmen* in *London* believed the *Law* stood as this learned Gentleman says it does, they would not sleep one Night quietly in their Beds, till your House met again, and they had a new Act of
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Parliament passed for the Security of their *Properties*. If this learned Gentleman is right in his Notion, (for I will not suspect that he did not *believe* himself, what he told me,) it is likewise high Time that all the Justices in *London* (I might perhaps add, all over *England*) should be informed, That they have hitherto acted either like a Pack of *ignorant Fools*, or a Gang of *House-Breakers*. These Considerations, Sir, make me conceive it highly necessary to lay my *Case* before the Publick. I am pretty confident, that if Constables cannot be impowered to *break open Doors*, and to seize stolen Goods, when it appears upon Oath that such Goods are in such an House, *Nine* Felons out of *Ten* will for the future escape, who are tried at the *Old Bailey*; and against whom I observe the *strongest* Evidence usually is, that the *Goods* stolen were found in the *Felon's House*. I will not suppose any Thing so much to the Scandal of our Laws, as to fancy that a *Point* on which the *Properties* of so many Persons must *daily depend*, is left *doubtful*, and a Thing for Lawyers to quibble, dispute, and harrangue upon; if it be, we have been most egregiously *bantered* in being so often told that our *Laws* are the *best* in the World. I dare say, this *Point* is fully settled in all *Foreign Nations*, even among the *Hottentots*.

I COULD get no other Warrant than such a one as I have given you the Copy of, nor could persuade the Justice to trust me even with *this*, till I had given him my *Word* and *Honour* that I would not suffer the Constable to break open any Door. With this strange sort of *Search-Warrant*, I rode to *Cuddeston* (five Miles from *Oxford*)

Oxford) where my House lies. The Constable to whom I first shewed the Warrant, refused to do any Thing upon it : But at last, I made the *Tithing-Man*, or *Under-Constable*, promise me to go to *Piers's* House. I told him I would go thither first my self, ordered him to stay sometime behind me, and not to go to the House the same Way I went. Upon my coming to *Piers's*, by great good Fortune, I found the Door open ; and going in, saw several of my Goods, such as a Clock, a Jack, and a good Quantity of Pewter in a lower Room, which was open. No body but *Piers's* Wife was in the House : She was so surprized to see me, that it was near ten Minutes before she spoke one Word. I sat down, and resolved she should speak first. At last she broke out into the following Words : *I thought you had been safe enough : I suppose you are come down to hang my Husband for breaking open your House, and taking away your Goods ; but he heard you was in the Parish, and is got far enough out of your Reach ; you shall never see him more.* I assured her *I had no Warrant against him.* But she told me *she did not believe me ; and that I should never see him, nor know where he was.* At last the Constable came, who told me, That as he was coming to the House the *Back-way*, he met *Piers* in the Fields, going off ; that he told him he was going to search his House for stolen Goods ; but that he had no Warrant against him. Whereupon *Piers* said, That he would come to him ; but that he much doubted, whether he would be as good as his Word. I made the Constable, however, stay a good while before we did any Thing ; but finding it in vain to expect *Piers*,

I went up Stairs, and looking through some Holes in the Doors of the Chambers, I saw several of my Goods in each Room. I saw in particular the strong Chest in which my Servant had lodged my Writings and Papers. The Constable commanded *Piers's* Wife in the King's Name to open the Doors ; but this she resolutely refused to do. We were expressly forbid by our Warrant to break them open, nay, what was worse, I could not get even this Warrant, till I had given my *word* and *Honour* that *no Doors should be broke open*. Leaving therefore the Constable in the House, I went with my Servant to the Barn, where he told me several of my Goods were hid ; and looking into the Barn through several Holes, saw that a considerable part of my Goods were really there. *Piers's* Wife refused to open the *Barn*, as she had before done to open the *Chambers*. All I could do, therefore, was to bid the Constable take such of my Goods as we found in the Rooms that were *open*, and carry them back again to my House, where I told him I would be answerable for them. The Goods he seized, were a Chest of Books and Pamphlets, a Clock, a Jack, a Chest of Drawers, some Chairs, and some other Things of no great value. I had forgot to take the *Inventory* of my Goods from my Servant, whom I left under a Surgeon's Hands upon the Road ; and therefore whenever the Constable, or the Man who assisted him, took up any Thing which *Piers's* Wife declared did not belong to me, I made them lay it down again. Notwithstanding this my Civility, she gave me the most vulgar and

and abusive Language that can possibly be conceived ; and went at last so far, as to strike me. I hope I can keep my Temper under greater Provocations than a Woman's Hands, or Tongue. All, who were present, will witness for me, that I never returned her either an harsh or uncivil Word.

HAVING done all I could by Virtue of my notable Search Warrant, I rode back again to my Justice at *Oxford*. I now made Oath before him myself, as I could safely do, that my House was stripp'd of all the Goods I had left in it ; and that I had actually seen a great Part of them in *Piers's* House and Barn : That his own Wife confessed they were my Goods ; yet refused to open the Doors, and let the Constable take them. I told the Justice, that I had lost some Papers and Writings, which were of the utmost Consequence to my own private Affairs ; and that I conceived some of them were even of Consequence to the Publick : That I must look upon myself as a ruined Man, unless I could recover these Papers ; and therefore earnestly conjured him once more to grant me a *Search Warrant* in the *common Form*, which was never refused the meanest Porter in *London*. All I could say was to no Purpose. Though the Justice owned, That he did not at all doubt the Truth of what I and my Man had sworn, he was still pleased to be of Opinion, that he could not *legally* grant me such a Warrant as I desired. In this Place I cannot help saying thus much : If this learned Gentleman could legally have granted me such a Warrant as I desired, I have been most cruelly and most inhumanly treated : If he could not legally grant

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me such a Warrant, I own I have no Reason to complain of him : But then, I must once more add, that it is high time the People of *England*, should be informed upon how blessed a Foot their Properties stand ; and that every Justice should also be informed, That all the Warrants he has hitherto granted to search for stolen Goods were *illegal* ; and that such Warrants for the future ought to run in the same Words with mine.

THUS much farther, with Submission to the *most learned Gentleman*, I shall venture to say ; By the Laws of *England*, two positive Witnesses to the same *Fact*, are thought sufficient even to take away a Man's *Life* : Therefore, that *two* positive Witnesses, who *both* swear a Man's Goods which have been *stolen* from him are in such a Room, should be sufficient to procure him a Power to break open that Room, and take his *own* Goods, is so very agreeable to COMMON SENSE, and COMMON JUSTICE, that I would not willingly believe it is contrary to LAW. If turning a Key upon stolen Goods was sufficient to secure a Felon in the Possession of them ; I humbly conceive, that two or three desperate Ruffians might rifle the Shop of the richest Goldsmith in *London*, carry off all his Plate, Cash, Books, and Bank Notes ; and after all this, if the Administration was corrupt, and Pardons to be bought, might purchase a Pardon with one *Half* of their Booty, and put the *Remainder* into their own Pockets.

You may possibly ask me, Sir, Why I did not apply to some other Justice ? I answer, That I have constantly found the *Country Gentlemen* decline to act, and been referred by them to the
Gentlemen

Gentlemen at the *Bar*, learned in the *Law*. Of these there are but two in the City of *Oxford*: One of them, *viz.* the Recorder, who has lately been admitted into the Commission of the Peace, (whatever his *Reasons* are,) has not yet qualified himself to act in the County at large; the other is the *Person* to whom I did apply; so that I had no *Choice*. I acquainted this *learned Gentleman*, That the three Persons, who had robbed me of my Goods, had (as I believed they would) all fled from their Houses the Moment they heard I was in the Country; but that the Constable had seen *Piers*, and might have taken him, if he had had a Warrant against him. I thought, at least, that Mr. Justice seemed a little *struck* with what I mentioned about *Piers*. In short, *Badcock* and *Gillman* were no where to be found all the while I staid in the Country; but after some Days, I received a Letter from the Justice, that *Piers* would appear before him at such a Time. I have Reasons to think, that before he could be persuaded to appear, the strongest Promises were made him, That he should be effectually *screened*, and brought off, as he was before in the Case of the *Fartbing Verdict*; and how punctually these Promises were kept, my Readers shall see anon: I went to the Justice's at the Time mentioned in his Letter. I found *Piers* was there before me, with an old Attorney *well* known in *Oxfordshire*. *Piers* (who I believe had been well tutored) said but little himself: He would neither *own*, nor *deny* that he had broke open my House: His Attorney spoke for him; and told me, That if I durst indict *his Client* for *Felony*, his Client should indict me for the *same Crime*. Though

I was a little surprized at this modest Piece of Assurance, I resolved not to be bullied out of my Senses. I told the Justice, That however that Gentleman might act, I was resolved to indict *Piers* for the Felony; and therefore hoped he would commit him till the next Assizes. I could not prevail on this Head: The Justice resolved to admit him to Bail; and though I declared upon Oath, That the Goods which I had lost, were of a very considerable Value, and that my Papers and Writings were still of a much greater Value, I could only prevail to have him held to *Forty Pounds* Bail for his Appearance at the next Assizes. His Attorney still threatened me, that his Client should swear *Felony* against me; and actually took the Bible in his Hand to deliver to him, that he might do so. But here the Justice thought fit to interpose, by declaring, he did not see there was the least Room to charge me with *Felony*, since I seemed to desire nothing more, than to recover my own Goods. Thus, Sir, by good Fortune, I escaped being charged with a *Felony*. It may perhaps be thought more adviseable to charge me *hereafter* with *Highb Treason*. The Pretence for charging me with *Felony*, was this: *Piers* affirmed, That in the Chest of Books, which the Constable had seized in his House, there were two or three Books which were none of mine, but which he had borrowed of the Bishop of *Oxford*. Upon Inquiry, I found this to be *false*: The Bishop assured me, he had not lent him a single Book. Having done all I could in this unhappy Affair, I was forced to return back to *London*, after a very fatiguing and expensive Journey, with the
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wretched Consolation, that I had found my House stripp'd of every Thing in it and that though I had actually *seen* in *Piers's Barn*, and his upper *Rooms*, the greatest Part of the *Goods* I had lost, I could not be impowered to seize them.

THE Fatigue of the Journey under an ill State of Health, and my Reflections upon the cruel Treatment I met with, threw me into a new Fit of Sickness. I resolved, however, if I was alive, to go down to the next Assizes in *Oxfordshire*; and being unable to ride, was carried down in a Coach. As I was sensible no Arts or Cunning would be omitted to *screen* and bring off *Piers*, I thought proper to carry down an *Attorney* with me from *London*, a Man who was a Master of his Business, and in whom I thought I could confide. I likewise took my *old Servant* with me, by whom I had sent down my Papers, and who very well knew in what Manner my House was furnished before it was robbed.

UPON my Arrival at *Oxford*, I found that *Badcock* and *Gillman*, though they had absconded all the while I was last in the Country, and for some time after, were now grown so bold, that they appeared publickly, and suffered themselves to be taken by the Constable, whom I sent to apprehend them. I shall not here pretend to determine what were the Reasons of this their *new* Courage, or what Promises had inspired them with it. Having been assured before I left *London*, by some of the best Judges in *England*, that the Fact they had committed was a most plain and flagrant Felony, I indicted them and *Piers* for Felony accordingly.

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I FOUND some Difficulty even in getting the *Clerk of the Indictments* to draw up the Indictment ; and have the strongest Reasons to believe, that Gentleman had been *spoke with* before I saw him. Upon this Occasion, and several others, the Attorney, whom I had brought down with me, told me twenty Times over, That *he observed such Things as he could never have believed, if he had not seen them himself ; and that I might depend upon it, I should not be credited, if I related them in London.* The Indictment was, however, at last transmitted to the Grand Jury. I must confess, I am not able to comprehend, how any *Felony* can possibly be proved more *fully* than *this* was : Notwithstanding which (to the infinite *Astonishment* of many more besides myself) the Bill was returned *IGNORAMUS*. It is with the utmost Trouble and Concern, that I find myself obliged to say any Thing that may possibly be interpreted into a *Reflection* upon those Gentlemen of *Oxfordshire*, who composed the Grand Jury ; yet I am in hopes, that when *all* I shall say upon this Occasion is taken and considered together, what I am forced to say, will not be thought any *Reflection* upon them. I have Reasons to think, that the utmost *Art* and *Cunning* was used to induce them to do what they did do ; that both my Character, and *Piers's* was misrepresented to them ; that different Gentlemen were prevailed upon to do what they did by Arguments of a very different Nature ; and that few, if any of them, knew *who* it was they were really serving and *screening*. I have the strongest Reasons to believe, that *some Persons* were under the utmost *Apprehension* of having this
Affair

Affair brought before a *Court of Justice* ; and, that if the three Fellows, who robbed my House, had been *convicted*, (which I cannot see how it was possible to have avoided, if they had been brought to their *Tryals*,) they might have made some *Discoveries* which would have surprized all the World. For my own Part, as highly as those Wretches have injured me, I am so far from thirsting after their *Blood*, that if they would but have made an ingenuous Discovery of one *certain Fact*, I would have been the first Man in *England* to have interceded with his Majesty for their *Lives*. Depending wholly upon the *Justice* of my *Cause*, I never spoke to any one Gentleman upon the Grand Jury ; nor do I, to this Day, know the *Names* of more than *two* of them. It is true, that after the Bill was returned *Ignoramus*, I endeavoured to have got a *List of their Names* : I applied for it ; I offered any Money for it : I was promised I should have it ; and yet after all, was not able to procure it. I must, however, do the Gentlemen of the Grand Jury this farther Piece of Justice, If I am rightly informed, they were not *all* unanimous in their Opinion for returning the Bill *Ignoramus* ; and some of them have, since the *Affizes*, expressed their *Dissatisfaction* at what was done. Lastly, I must do them the Justice to own, That when I was examined before them, I was treated with the utmost *Good Breeding* and *Politeness*.

HAVING premised thus much, I shall lay before you, and my Readers, an exact Account of what passed at my *Examination*. When I heard the Bill was returned *Ignoramus*, I immediately drew up this Account, while the whole Thing was

fresh in my Memory, and before several Witnesses : For the Truth of this Account, I dare boldly appeal to the *Gentlemen* of the *Grand Jury* themselves.

To avoid the Monosyllable *I*, and a continual *Egotism*, I have taken the Liberty to speak of myself as of a *Third Person* ; and since I do not know the *Names* of those Gentlemen, who asked me the *particular Questions* mentioned in the following Account, I have placed before those Questions the Word *Jury*.

A true Account of what passed at Mr. Budgell's Examination before the Grand Jury for the County of Oxford, at the last Assizes held in that City, on the Second Day of March, 1732.

MR. BUDGELL being called in, was received with great Civility by the Gentlemen of the Grand Jury, who rose up and saluted him.

HE began by saying, That he was glad of an Opportunity of appearing before so many Gentlemen of Worth and Honour in the County : That he believed he had been misrepresented to some of them ; but that he could heartily wish, not only the Gentlemen there, but that every Gentleman in *England* was present, and could be so at the Tryal, which he believed would soon come on, that they might be Witnesses after what *Manner* he had been treated. He told them he had been lately so ill, that his Life was thought in great Danger ; that he was *still* very *weak* ; and that *nothing* but an absolute *Necessity* to secure, and defend his *Property*, should have made him come down to the *Assizes*. He then
gave

gave them an Account of his being *robbed* of the whole Furniture of his House ; of his finding and seizing Part of his Goods in *Pier's* House, and of what passed there, in the Manner before mentioned. The Gentlemen of the Jury heard him with great Patience and Attention ; and when he had done speaking, asked him the following Questions ; to which he returned the following Answers.

JURY. *I think, Sir, You are pleased to say, that your House is intirely stripped from Top to Bottom ; now you mention in your Bill, but one Time when you was robbed : Pray, Sir, How could three Men carry off the whole Furniture of a House at one Time ?*

ANSWER. Gentlemen, What you are pleased to observe, is very true : My House is intirely stripped from the Garret to the Cellar ; but the Furniture was so far from being carried off at once, that you may please to remember, I informed you, that I had received *four* or *five* several Letters from my Servant, to let me know, that my House had been *broke open* in the Night four or five several Times before the First of *March* last ; and that *Part of the Goods* had been taken away at *each* Time ; but that till that Morning he could never catch the Thieves, and consequently could not swear who had broke open my House, and taken my Goods.

JURY. *Pray, Sir, Why does your Servant fancy your House was broke open in the Night ?*

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ANSWER

ANSWER. Gentlemen, The Man himself is at the Door, and you will soon have him before you; but the Reason why, he told me, he thought the House had been broke open in the *Night*, was because he saw several Goods in it in the *Evening*, which were gone the next *Morning*.

JURY. Pray, Sir, I think it was about seven or eight a Clock in the Morning when your Servant caught Piers, Badcock, and Gillman?

ANSWER. Yes, Gentlemen, it was; but he thinks they must have been at work the *Night before*; because, when he came upon them, the House was not only broke open, but a great Parcel of Goods, which they were then carrying away, were removed into the Court, and an Out-house.

JURY. Sir, We wonder they would stay so long as seven or eight a Clock in the Morning, when your Servant lay in the House.

ANSWER. I beg Leave, Gentlemen, to set you right in that particular: My Servant does not lie in the House, but in his own House, a great Distance from mine, though in the same Parish. He always kept the Keys of my House, indeed, and used to go down to it once a Day, to see that the Goods in it were safe. My House stands by itself, and no Body lay in it; which I presume made those who robbed it venture to stay so late.

JURY.

JURY. *Sir, 'Tis very well known in the Country, that there have been a great many Goods taken out of the House : But pray, Sir, upon the Oath you have taken, Whose Goods were they? Who had the real Property in them?*

ANSWER. Upon the Oath I have taken, Gentlemen, all the Goods in the House were my own: I bought them, paid for them, and had been in the undisturbed Possession of them for several Years before.

JURY. *Upon the Oath you have taken, Sir, Were none of those Goods Mr. Piers's?*

ANSWER. Upon the Oath I have taken, Gentlemen, Mr. Piers had no Goods, to the Value of one single Penny in the whole House.

JURY. *Upon the Oath you have taken, Sir, Don't you know, or have you not heard, that Piers pretends some Title to these Goods?*

ANSWER. Upon the Oath I have taken, and upon the Honour and Word of a Gentleman, I neither know, nor have heard, nor can possibly imagine, that Piers pretends any Title to these Goods. However, Gentlemen, if he can shew the least Colour of a Title to any of them, he will doubtless do it now upon his Tryal; and it will doubtless have its proper Weight both with the Judge and the Jury.

JURY. *You were pleased to say, Sir, that you had bought, and paid for these Goods: Pray,*

may we ask you when, and where you bought and paid for them?

ANSWER. Gentlemen, I shall with a great deal of Pleasure give you a full and true Account how I came by every Thing in the whole House. The most valuable Things were brought down from my House in *London*: I lived for many Years together in an House in *Arundel-Street*, which I believe several Gentlemen here know: Governor *Russel* lived in it before me: It is the best House in the whole Street, had four Rooms on a Floor, five Windows in Front, and faced Mr. *Congreve's*. All my Servants, and the *Oxfordshire* Carriers can witness, that I brought down to *Denton* from this my House in *London* Beds, Sheets, Table-Linen, Pewter, Plate, and other Things: The Plate indeed, by good Fortune, was carried back again to *London*. Another Part of the Goods, Gentlemen, it is true, were some Years since Mr. *Piers's*; but they were taken in Execution at the Suit of one *Sandbatch*. Mr. *Wells*, a Gentleman, who has a good Estate, who is now in Town, and whom I have subpoena'd, bought them of the Sheriff on the 30th of *January* 1726. I bought them of Mr. *Wells*, carried some of them with me to *London*, and have been in Possession of the rest of them ever since the Year 1726, without Mr. *Piers's* ever pretending the least *Right* or *Title* to them. The rest of the Goods, Gentlemen, were such as I bought here in *Oxfordshire*, at several Times, as I wanted them.

JURY.

JURY. Pray, Sir, when you searched Mr. Piers's House, did you see any of your Goods there which you brought down from London, or bought in Oxfordshire ?

ANSWER. Yes, Gentlemen, a great many : The very *first* Thing I cast my Eye upon, when I came to Mr. Piers's Door, was a *large new Lock* which I bought at *Oxford*, and which my Servant put upon my Hall-Door by my Orders. The Fellow is now at the Door, and I believe can swear to the *Lock*.

JURY. Pray, Sir, had you never a *Law-Suit* with Mr. Piers ?

ANSWER. Yes, Gentlemen, I formerly had ; but we have made no Step against one another in *Law* for at least these *three Years*, I believe I may say, these *four Years* past.

JURY. Be pleased, Sir, to give us some Account of your *Law-Suit* with Mr. Piers.

ANSWER. Though this, Gentlemen, is quite foreign to the *Felony* ; yet I am very glad you are pleased to give me an Opportunity of telling you the Story. Before the *South-Sea Year*, I bought one undivided *Moiety* of Mr. Piers's Mansion House, Outhouses, and Gardens, in present Possession ; and the Reversion of his whole Estate (which is about 100*l. per Annum*, part *Leasehold*) after his Decease. For this Estate, I honestly paid my *Purchase-Money*, which pre-
vented

vented his being flung into a *Gaol*. I think I can prove that it was no *cheap* Purchase, when I bought it; but as he has managed Things since, I believe it has been one of the *dearest* Purchases that ever Man made. *Piers* was obliged by the Writings executed between us, to cut down no *Timber*, nor even a Stick of *Wood* upon the Freehold Estate, without my express Leave: Notwithstanding which, as soon as I had paid my Purchase-Money, and was gone up to *London*, he cut down a good deal of *Timber* and *Wood*, and a long shady Walk in the Garden, which he had often heard me say, I would not lose for *two hundred Pounds*. To prevent such Devastations for the future, in the Year 1723, I came to a *second Agreement* with him, which we both *signed* with our own *Hands*, and which was likewise *witnessed*. By Virtue of this last Agreement, I was to have full Possession of the *whole House*, and *all* the Estate, from the Time our Agreement was signed: In Consideration whereof, I was to pay *Piers*, as long as he lived, *four score Pounds per Annum* Nette Money, which is more than ever he made of the Estate in his Life. Having made this Agreement, I returned to *London* (where my Affairs called me) pretty well satisfied; but had not been many Weeks in Town, when I received Advice, That *Piers* was cutting down my *Trees*, and committing as much Waste as ever. Upon my coming into the Country, I found the Intelligence I had received was too true; and *Piers*, to my great Surprize, refused to receive his *Annuity*, which I *tendered* him, or to execute our Agreement. By this Means I was forced into a Law-Suit whether I would, or no. Mr. *Wickham*, a Gentleman,

Man, who (I dare say) was well known to every Person in this Room, who was an old Acquaintance of *Piers's*; and the *best Friend* he had, hearing of our Differences, came to me, and told me, *He should be glad to make up Matters between us.* I answered, *That I was so well satisfied he was an honest Gentleman, that I would entirely refer every Thing to him.* He told me, *That he would not take the whole Matter upon himself, but that Mr. Serjeant Skinner, the Recorder of Oxford, (a Gentleman, whom I had never then seen,) was a very worthy Man : That if I pleased, he would engage the Serjeant should settle all Writings and Matters of Law between us ; while he himself would act the Part of a Country Gentleman and a good Neighbour.* I readily agreed to this Proposal ; whereupon he told me, that he would engage *Piers* should agree to it. Upon his talking with *Piers*, *Piers* did agree to it ; so that he and I went amicably together, and bespoke a Dinner for the Entertainment of our Referrees at the noted House here upon the Heath between *Cuddefdon* and *Oxford*. On the Day appointed *Mr. Wickham* and *Mr. Serjeant Skinner* came there : I met them. To our great Surprise *Piers* never came near us, or so much as sent an Excuse ; but left me to pay for the whole Entertainment he himself had bespoke. I have heard that he was *advised*, or rather *ordered* to behave in this Manner, by a certain Gentleman, whom I shall not now name.

The Bishop of *Oxford*, who resides in the Parish where this little Estate lies, and who had some Kindness for *Piers*, desired me likewise, soon after this, to make up Matters with him,

and offered to be the Mediator between us. I told his Lordship that since he was so kind as to take so troublesome an Office upon him, I had but *one* Thing to say, namely, That *I entirely submitted all my Interests to his Lordship's Determination*. His Lordship upon this frank Concession, thought himself very sure of composing all Differences between Mr. *Piers* and *me*. He had even the Goodness to invite *Piers* to dine with him, and kept him one whole Day, in order to persuade him against *going to Law*, and to end Things amicably : But his Lordship found, to his infinite Surprize, that all he could say was to no purpose. I should not, Gentlemen, presume to mention the Names of the Bishop of *Oxford* and Mr. Recorder, if I had not express *Leave* from them to tell these two plain *Facts*, whenever I found it necessary to do so, for my own Justification. I hope, Gentlemen, these two Stories are sufficient to convince you, that I am not a *litigious Person*. To make short of my Account, This *Piers*, a Man to whom I have often lent Money to buy *Bread* for his Family ; a Man, who to my certain Knowledge is not worth one *Shilling*, if his *just* Debts were paid ; I say, Gentlemen, this Man has constantly refused to hearken to any Accommodation, and carried on two Chancery Suits against me at a vast Expence for several Years together : That he hath been *supported* in an extraordinary Manner, all the Neighbourhood are fully sensible : By what *Persons*, or with what *Design*, he has been thus *supported*, I shall not at present endeavour to determine.

JURY.

JURY. *Do you take the House, Sir, which was robbed, to be your own?*

ANSWER. Yes, Gentlemen, I do. I bought one undivided Moiety of the House, and was in Possession of it before the *South-Sea* Year. By the Agreement, which *Piers* signed in 1723, I was to have the other Moiety from the Date of that Agreement. *Piers* quitted the Possession of the whole House to me in the Year 1725, and has ever since lived in several other Houses at a good distance from this House, which I think I may properly call *mine*. However, Gentlemen, you see I have not indicted him for *Burglary*, though he broke open the House: He is only indicted for *Felony*; and with Submission, even though we had lived together as Tenants in Common, and in the same House, it would certainly have been *Felony* if he had stolen my Goods.

JURY. *You said, Sir, that Piers fled for this Felony; now that would indeed be a Sign of his Guilt: But what makes you think, Sir, that he fled?*

ANSWER. Gentlemen, I think so, because the first Thing his Wife said, when she could speak to me, which she was not able to do for some Time, was, *I thought you had been safe enough: I suppose you are come down to hang my Husband, for breaking open your House, and taking away your Goods: But he heard you was in the*
R *Parish,*

Parish, and is got far enough out of your Reach ; you shall never see him more.

JURY. *He might be gone to see a Friend : Why do you think he went away for fear of you ?*

ANSWER. Gentlemen, the Constable, who will soon be before you, will inform you, That he met him as he was going off ; and told him he had a Warrant to search his House for stolen Goods, and desired him to be present : That Piers promised he would ; but that, though we staid a long Time for him, he never came near us. After some Days, indeed, he was encouraged to appear ; and I can even guess by what Persons he was thus encouraged.

JURY. *Pray, Sir, were the Chest of Drawers, the Clock, and the Jack, mentioned in the Indictment, Part of those Goods which you brought down from your House in London, or were they Part of the Goods which you bought of Mr. Wells, and which he bought, as you inform us, in the Year 1726 of the Sberiff of Oxfordshire ?*

ANSWER. The Chest of Drawers, the Clock, and the Jack, were Part of the Goods I bought of Mr. Wells : Other Things mentioned in the Indictment I brought down from my House in Arundel-Street.

JURY. *Sir, when you gave us an Account of your seizing your Goods, you told us you saw some of your Goods through the Key-Holes, or other Holes*
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in several Rooms, which Piers's Wife refused to open; and that though you saw a great Quantity of them hid in a Barn at some distance from Piers's House, you durst not break open any Door, because there was a Restriction in the Warrant granted you by Mr. W——t, to prevent you from so doing. Now, Sir, to be sure, if it had been proved upon Oath before Mr. W——t, that any of your Goods had been stolen out of your House, and were in any particular Place, he would have immediately granted you a Warrant to have broke open the Door of that Place.

ANSWER. Why, Gentlemen, I must confess I did think so too; and I never in my Life knew such a Warrant refused before, even to the meanest of his Majesty's Subjects: But Mr. W——t, who I am sensible is a very ingenious Gentleman, and *learned in the Law*, might, for ought I know, have *particular Reasons* for whar he did.

JURY. *Poh, Poh! Sir, To be sure he would not refuse you a Common Search-Warrant; nor have given you his Warrant to search a House for stolen Goods, and yet have put a Clause in it, to prevent your breaking open any Door: There was never such a Warrant in the World.*

ANSWER. Why, Gentlemen, to be plain with you, I did think this Warrant so great a *Curiosity*, that I took Care to take a *Copy* of it; I believe I have it now in my Pocket, and if you please, will read it to you.

JURY. *Ay, ay, Pray Sir do, this is something to the Purpose.*

MR. *Budgell* then took out an attested Copy of Mr. *W——t's* Warrant, and read as follows.

Oxon' ff. To the Constable of Cuddesdon in the said County, and also to the Constable of Denton in the said County of Oxon, and to each of them.

“Whereas it hath been proved upon Oath before me, one of his Majesty’s Justices of the Peace for the said County, That several Goods belonging to *Eustace Budgell Esquire*, have been stolen out of his House in *Denton* in the County of *Oxon*; and that the said stolen Goods are now in the House of *John Piers* of *Cuddesdon* aforesaid.” [Pray Gentlemen observe, *Whereas it hath been proved upon Oath before me, That several Goods belonging to Eustace Budgell Esquire, have been stolen out of his House, and that the said stolen Goods are now in the House of John Piers:*] “These are therefore in his Majesty’s Name, to require you to search the House and Barn of the said *John Piers* in *Cuddesdon* aforesaid for the said stolen Goods: But you are not to break open any Door, or to do any Thing therein which is illegal.” *Given under my Hand and Seal this 27th Day of August, 1731.*

John W——t.

(L. S.)

T H E

THE Gentlemen of the Jury look'd at one another, and seemed to be a good deal *surprized* upon the reading this Warrant: They took it out of Mr. *Budgell's* Hand; several of them look'd upon it; and one Gentleman observ'd to another, who sat by him, that it was only a *Copy*, and not the *Original Warrant*.

MR. BUDGELL, after this, told them, That he found by the very Questions which had been asked him, that every Gentleman there was satisfied that his House had been robbed, and the Goods in it taken away; and that indeed, the Fact was too notoriously known to all the Country, to be denied.

HE then informed them, That though his Goods alone were of a very considerable Value, yet that the Loss of *these* was far from being the *greatest Damage* he had sustained; that having some *Papers* of very great Consequence both to his own *private Affairs*, and some other *Matters*, which he was apprehensive it was not safe for him to keep by him in *London*, he sent down a trusty Servant with them, who had lived with him about ten Years, and who was then at the Door; that he gave his said Servant a strict Charge to lodge the said Papers in a strong Chest in a little Closet in an upper Chamber of the House, and to bring away the Key of the Chest she put them in, and likewise the Key of the Closet, and not to trust the said Two Keys even with his *own* Servant, *Abraham Maids*, who had the Keys of every *other* Room in the House; that his said Servant took a Journey on Purpose from *London* to his House near *Oxford*, and assured him, when she came back, that she had got the strongest
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and largest Chest in the whole House removed into the said Closet, bought two New Locks, one for the Chest, and the other for the Closet Door; and having left the said Papers under two Locks, brought away the two Keys with her to *London*. He told them, that his Servant had ever since had these Keys in her Custody; that the *Chest*, and all the *Writings* in it, which were of great Consequence both to his own *private Affairs*, and *otherwise*, were taken away; and that he hoped, as he spoke to *Gentlemen*, they would consider the *uncommon Barbarity* of this Action.

He concluded with telling them, That he believed he had said much more than enough to convince them, that there could not possibly be a more *notorious Felony*; that he had had the quiet and undisturbed Possession of all the Goods in his House for five or six Years before he was thus robbed of them; that his Enemies never attempted this consummate Piece of Villainy, till they thought he was *dying in Confinement*, and would never be able to *complain* to the World: That he conceived there could not be a more evident Sign of the *Guilt* of those three Fellows, who had robbed him, than that the very Moment they heard he was come into the Country, they all three fled from their own Houses and Families, and absconded for some Time: That it was evident, they had always carried off his Goods by *Night*; because, otherwise, some body or other in the Parish must have seen them doing it: That as for their *Fortunes* and *Characters*, he believed he might safely aver, they were not *all* together worth *Five Pounds*: That

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to his own Knowledge, *Piers* was not worth a *Shilling*; if his *just* Debts were paid; and that a *Trick* he had played his *own Mother* many Years since, shewed him capable of any Thing: That the other two were *Day-Labourers*: That he was credibly informed, *Gillman* had a very *bad* Character; and that *Badcock* was one of the most notorious Rogues in the Country, and had been several Times in *Gaol*, which he believed every Gentleman in the Room must know.

Mr. BUDGELL's Examination having taken up about an Hour and half, he was dismissed, as he had been received, with great Civility: and left the Gentlemen of the Grand Jury, as he *then* imagined, *fully* satisfied with the Answer he had given to every Question they had asked him.

Abraham Maids, his Servant, was next called before them, who gave them the same Account, which he had given before to his Master, and the Justice; the Substance of which the Readers may see in his *Deposition* in the *Appendix*: He told them, that his Master's House was *well* furnished, and had been under his Care for *several Years* before it was broke open, and robbed; but that within a few Months, before he actually caught *Badcock*, *Piers*, and *Gillman*, the said House had been broke open, and robbed *several Times*, and constantly in the *Night*, as he had the strongest Reasons to believe; of which he had sent his Master a faithful Account in *several Letters*. Being asked, *If he could swear to the Lock in particular, which his Master had mentioned in his Examination*; he replied, That he could very well swear to the Lock, because it was
bought

bought in Oxford, and his Master with his own Hands gave it to him, and ordered him to put it on the Hall-Door; which he did accordingly.

Mr. BUDGELL's Maid Servant was next called in, who gave the Gentlemen of the Jury an Account, That her Master's House near Oxford was well furnished with such Goods as were sent down to it from his House in Arundel-Street, and with such other Goods as he had bought in Oxfordshire; but that the said House was now entirely stripped of every Thing; and that being carried by her Fellow-Servant to a Barn of Piers's, which stands in a Field, she looked in through the Boards, and saw a great many of her Master's Goods in the said Barn. She farther told them, That about two Years before, she had been sent down from London on purpose to lodge some Papers, which her Master told her were of the utmost Consequence to him, in a strong Chest in a little Closet of an upper Room; that she caused the said Chest to be accordingly removed into the said Closet, put the Papers into it, and a new Lock both to the Chest and Closet-Door; that she afterwards took away the two Keys with her, which had ever since been in her Custody; and then she produced the said Keys to the Gentlemen of the Jury.

THE Reader may see her Affidavit at length in the Appendix.

LASTLY, The Constable, who seized Part of the Goods in Piers's House was called in; who told the Jury, *All he could say, was, That he had seized some of Mr. Budgell's Goods, which he found in Mr. John Piers's House.* Being asked, *How he knew they were Mr. Budgell's Goods?*

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He replied that, *Though Piers himself run away ; yet that his Wife, whom they found in the House, owned that the Goods they seized were Mr. Budgell's.*

THIS is the Evidence which was given to the Grand Jury. Upon which I must, and do submit it to, *all my Fellow-Subjects*, (since *my Case* may one Day be their *own*.) Whether there ever was a more notorious and wicked Felony? whether it is possible in Nature, that any Felony can be more fully proved? and whether ever a Bill *before* was returned *Ignoramus*, upon such Evidence? At the same Time, I must repeat once again, That I am well satisfied, no Arts, no Cunning, were omitted to *screen* Piers and his *two Friends* ; and that both his Character and mine were misrepresented to the Gentlemen of the Grand Jury ; who, as I before observed, were so perfectly *Strangers* to me, that I never spoke to one of them, but in the Jury Chamber, nor do at this Hour know their *Names*. I must not omit one Circumstance: No Endeavours were omitted to take off my Servants Evidence. *Piers's* Attorney questioned him with so much Authority, that the poor Fellow thought he had been a *Justice of the Peace*, and had a *Right* to examine him. He assures me, That he was threatened by more than one Person, that if he *dared* to appear as an *Evidence* against *Piers* at the Assizes, he should be utterly *ruined*. The Fellow (which is almost a *Miracle* in these Days) was Proof both against *Threats* and *Promises*, and thought himself obliged to be faithful to a Master, whose Bread he had eat. When he was found to be inflexible, an Action (never once thought

of before) was actually trumped up against him in *Piers's Name*, and tried at the last Assizes at Oxford for a *Trespass*, which, it was pretended, the poor Fellow had committed above *two Years* before this Action was brought. This Method of Proceeding was entirely of a Piece with the Design I have *already* taken Notice of, to have indicted me for *Felony*. Though I think I could prove even to a Demonstration, That this *righteous Cause* was assisted with a little *Perjury*, yet even with *this* Assistance, those who set it on Foot, were not able to make any Thing of it. However, it answered *one* Design; which was, to put me to a *new Expence*: I was obliged to defend my poor Servant, who, I saw plainly, was fallen upon for no other Reason, but because he was faithful to me. I leave my Readers to determine whether all these *Law-Suits* could be *created* and *carried* on by *Piers* himself, who, to my certain Knowledge, is not worth *One Shilling*. I must own, I could have heartily wished (for more *Reasons* than one) that a certain *learned Gentleman* had not appeared, in this *creditable Cause*, a most *zealous Council* for *Piers* the Plaintiff against my poor Servant; especially if what I have heard is true, namely, that the learned Gentleman was pleased to act *gratis* upon this *remarkable* Occasion, or, at least, had no *Fee* given him by *Piers*, his pretended Client.

O *Law*! O *Justice*! to what infamous Designs are your most sacred Names too often prostituted!

UPON my being unable to get the Indictment found against the Persons who had robbed my House, I was advised by a certain learned Gentleman,

tleman, with a sort of a *grave Sneer*, to move the Court of King's Bench for an *Information* against them. This, indeed, was finding me more *Employment*, and cutting out *three new Law-Suits* for me : Upon the *Conclusion* of which, I was likely to recover *proper Damages* against three Fellows, who, I believe, all together are not worth *Five Pounds*. Besides, Sir, to tell you the Truth, though they were worth *5000*l.** each, I should have no great Stomach to have a second Tryal for *Damages* at an *Oxford Assizes* : In that Court of Justice, where my *Liberty* has been already valued at *One Farthing*, I think I can hardly expect that all my Goods and Papers should be valued at more than a *Penny*. I shall venture to affirm, That my *Papers* alone are of more Value than all the three Wretches who robbed me of them, were ever worth in their Lives ; and would they but restore me *these*, and it was lawful to compound a Felony, I would most willingly give them all my *Goods* to be divided amongst them. I would, indeed, stick at no Charge I could any ways support, in order to recover these *Papers* : And therefore, some time after my Return to *London*, consulted a Gentleman, who makes as good a Figure in the King's Bench, and, I believe, understands the Practice of that Court as well as any one Man in *England*, *Whether I could properly move for an Information* ? I laid the Affidavits before him, upon which I had some Thoughts of moving the Court. Upon perusing these Affidavits he told me, That my Affidavits proved a great deal *too much* ; that they proved a *plain and flagrant Felony* ; and that I might depend upon it, my

Lord Chief Justice would direct me to prosecute those who had robbed me for *Felony*, and would never grant an *Information* against them. What this Gentleman said, made me lay aside all Thoughts of moving for an *Information*: What he said seemed to me to be perfectly agreeable to JUSTICE and REASON, as well as LAW. I wish I could say the same Thing of the Opinion of every Gentleman, who, with the Assistance of a long Wig, and a formal Face, has passed upon the World for a most profound Lawyer.

You see, Sir, the miserable Situation I am in: I have been most notoriously robbed of my Goods and Writings; yet can neither make those who robbed me appear to be *Felons* in *Oxfordshire*, or to be any Thing but *Felons* in *London*.

I PRESUME you cannot but observe, Sir, by what *Methods* I have been forced to have Recourse to *Courts of Justice*, and after what *Manner* I have been treated in them. I hope I may be allowed to affirm a *plain Fact*; namely, that I have paid *greater Costs*, and received *less Damages*, than ever any *Englishman* did before in the same Circumstances. If you should ask me how I came to be thus made a *Precedent of Severity*, and, as it were, marked out for Destruction? instead of giving you a direct Answer, I beg Leave to tell you one *Story*, which may possibly enable you to guess, whether I really am singled out for Destruction, or not.

I SHALL make no Scruple to tell you this Story, since it can at present do no Injury to an *amiable Nobleman*, who deserved a much better Fate, and much kinder Usage, than he met with; I mean the late Duke of *Portland*.

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EVERY body knows that Noble Lord lost a vast Estate in the *South-Sea* Affair in the Year 1720. I myself lost above *Twenty thousand Pounds* of my own Money, by that notorious Piece of *Villainy*: A *Villainy*, which notwithstanding all the *Arts* that have been employed to screen and cover it, will, I hope, still appear to the World in a clearer and a truer Light than it was ever yet shewn. My Misfortunes in the fatal Year 1720, brought me acquainted with the late Duke of *Portland*. At his Grace's Request I wrote several Things in behalf of the *unhappy Sufferers* by the *South-Sea* Scheme; and was, in particular, the Author of those REASONS which were delivered to the Members of Parliament at the Door of the House of Commons, and were generally thought to have occasioned that *Act*, which afterward passed for *Annulling fraudulent and usurious Contracts*.

MY Lord Duke, in Compassion to his *Fellow-Sufferers*, caused the several Pieces I wrote to be printed and dispersed at his own Expence. I was obliged to talk with him frequently upon these Occasions; and his Grace at last conceived so kind an Opinion of me, that he commanded me to let him see me every Day, and usually made me dine with him three or four Times every Week. While I lived in this Manner with this great and amiable Man, he was appointed Governor of *Jamaica* by the late King: Soon after his Warrant was signed, his Grace took me one Morning into a private Room, and with as sweet and as obliging an Air as ever Man spoke, told me, *He was now fixed in the Government of Jamaica: But though it was a Post he himself had desired*

desired the King to grant him, he should not be easy, unless I would promise to go with him as his Secretary : That he knew very well I had formerly been in a much higher Post than what he now offered me ; but that I might depend upon it, there was no other Post in Jamaica in his Power to dispose of, which he would not readily add to it : That he proposed to have me constantly with him ; and that I should look upon his House and Table as my own ; for that he resolved to live with me not as a Master, but as a most intimate Friend, and as if I was his own Brother.

I WAS a good deal surprized at this Proposal, as it was altogether new to me, and what I had never so much as once thought of. I told his Grace, That though I found myself infinitely obliged to him, I hoped he would give me two or three Days to consider of what he had said. The Duke granted my Request ; but told me, that he hoped, the more I considered of it, the better I would like it ; for that I might depend upon it, I should find him better than his Word in every Thing he had promised. I had a particular Reason to desire some time to consider of his Proposal ; I knew my Lady Dutchess was resolved to go with her beloved Consort. He had often spoke to me with the highest Admiration (and I had my self in some measure been a *Witness*) of the generous Behaviour of this incomparable Lady : She had never once reproached the Duke with his Conduct since his Misfortunes : Her Behaviour, if possible, was rather more *endearing* and submissive than before : She had offered to reduce her own and her Childrens Expences within such Limits as I am ashamed to mention : Though by her Birth
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and Quality she was inferior to very few Women in *England*, she had never thought her self above minding her Family Affairs : On the contrary, she had put all Things in her House upon as regular a Foot, and over-looked every Thing with as much Care as could have been expected from her, had she been born a private Gentlewoman. I conceived, therefore, that such a *Wife* had an undoubted *Right* to have no Man taken into her Family (especially upon such a Foot as the Duke proposed to receive me) whom she did not like ; and I resolved not to accept of the Propofal his Grace had made me, till I was sure my Lady Dutchess approved of it. Having Reason to believe, a few Days after, that my coming into the Family would not be disagreeable to her Grace, I told the Duke that *there was not a great Man in England besides himself, with whom I would venture to take a Leap into another World ; but that I thought I knew his Grace, his Humour, and his Way of living, so perfectly well, that I was come to a Resolution to follow his Fortunes wherever he went, and to devote all my poor Capacity entirely to his Service.* The Duke received my Declaration in the most obliging Manner. From this Time I thought my self perfectly happy in a *Master* ; and his Grace did me the *Justice* to believe, that he had a *Servant* who sincerely loved and esteemed him, and was thoroughly attached to his Interests. I made it my Business to talk with several *Jamaica* Merchants, to learn all I could relating to the Place, and even flattered my self that I had hit upon something which at a proper Time would have been both for his Majesty's Service, and the Interest of my Lord Duke and
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that Island. His Grace, who was now firmly resolved to go where his *Fate* seemed to call him, (as the Motto * he assumed declared,) communicated to me every Day some of the Preparations he was making for his Voyage; when, to his infinite Surprize, a *Secretary of State* was sent to him, to acquaint him, in the King's Name, That he might take *any Man* in *England* for his Secretary, except Mr. *Budgell*; but that he must not take *me*. I think I have been fully informed who it was that *caused* this Message to be sent; and I take this publick Opportunity to tell him, whoever he was, That the Action was *base, wicked, and cruel*. Nothing can more fully expose the *Meanness* of it, than that while he was misrepresenting me to my *King*, (who had before a very good Opinion of me,) he was still making Professions of *Friendship* to me, though I no longer visited him as I used to do. I should be glad to know, Whether, when I was in *publick Posts*, my refusing to receive even the *legal Fees* of those *Posts*, and such *Presents* as the Government offered me, was so bad, so dangerous a *Precedent*, as to disqualify me from ever serving my Country again? If the *Person* who *caused* this Message to be sent, had acted in the same Manner, there would not indeed have been that *immense Difference* between our Fortunes, which there is at present. I could tell him a Time, when that Difference was not altogether so great. He knows I *know* him: I am sensible that my having been conversant in a good deal

deal of my *Business*, my speaking and writing more Languages than *one*; and having been in several foreign Countries, where I made the best Observations I could upon their *Interests* and *Government*; I say, I am sensible, *these* are *Crimes* he never can *pardon*. I am, therefore, as little capable of *asking* him for a Favour, as he is of *granting* it. But though the several *Faults* I have mentioned, may, in his Opinion, be of the *blackest Dye*, I would intreat him to consider, whether it is not carrying his noble Resentments a very great Length, to prevent any other Man's doing me a Kindness, who may possibly think my *Crimes* not altogether so *unpardonable* as he does.

THE Duke of Portland, who conceived he had an undoubted *Right* to choose his own *Secretary*, was not a little shock'd at the *Message* above mentioned; and, I have Reasons to think, would have shewn his *Resentment*, if I had not earnestly entreated him not to do so. I told his Grace that I could never have imagined a *certain Man* would have descended to an Action so very *mean* and *low*; but that since he was capable of *this*, his Grace might depend upon it, That if he took me with him, he would be *ill* used upon my Account: I therefore conjured him to think no more of it, but to make *another* Choice. I cannot, however, help saying in this Place, That, in my humble Opinion, the Pleasure a *certain noble Person* took in a *cruel Action*, got the better of his *Judgment* and *Discretion*. I should have thought he might have been pretty well satisfied to see, that finding he had broke all the *solemn Promises* he had made me, and was without any

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Just Reason become my implacable Enemy, I was flying from my native Country to *another World*; from whence, it is highly probable, I should never have returned. I have some Reason to believe, That, upon *second Thoughts* he found himself in the Wrong; since I had an Intimation given me, That upon an humble Application, the Opposition to my going with the Duke might perhaps be removed: But I thought this *seeming Change* a little too quick. After what I had seen, I was afraid his Grace would be used ill upon my Account; which, I resolved, should never happen; and I began to reflect how I myself might be treated, if a certain Person, who I knew had *long Hands*, could now get me into so remote a Part of the World as *Jamaica*.

In this Manner, Sir, was I torn from the late Duke of *Portland*: His Grace found it impracticable to take me with him in the Post he had designed for me; yet could not part with a *faithful Servant*, who, he was satisfied, had a most sincere and tender Regard for his Honour and Interest, without shedding a few *Tears*. So lively a Mark of his Affection, made it impossible for me not to imitate him; and not to think my self more than paid for the firm Resolution I had taken to have served him to the utmost of my Power and Capacity.

HE made Choice of a Gentleman in my Room, who (though an honest worthy Man) was extremely *indolent*, and, in a Word, no Way proper for a Post of Business.

THE unhappy Duke, when he came to *Jamaica*, was obliged to take the Drudgery upon himself of making his own Dispatches; and even to draw up, with his own Hand, those long and tedious *Accounts* and *Remonstrances* which he was obliged to transmit to *England*, relating to several Affairs, not easy to be explained, and set in a full Light.

IF (as some People think) his *Heart* was broke with the *unkind Usage* he met with, while he was on this Side the Water, and after he got to *Jamaica*, a certain Person has a good deal to answer for.

HAVING so often mentioned the late Duke of *Portland*, in the preceding Story, I shall in this Place, say something of a Man whom I knew thoroughly, and in whose *Character*, I will venture to say, the Generality of the World was a little deceived.

THE late Duke of *Portland* was allowed to have been the handsomest Man in *England*; and was, indeed, the finest Person of a Man (except one) I ever yet laid my Eyes upon. He was a perfect Master of all his Exercises; of Riding, Fencing, Dancing, &c. and was consequently a very proper Ornament for all the shewish Part of a Court: His *Presence* gave a particular *Lustre* to all Balls, Assemblies, and publick Ceremonies: He was therefore constantly desired to appear at them; and was not of himself averse to it. This made him generally looked upon in no other Character than as a *Man of Pleasure*; and gave the World no great Opinion either of his Parts, Learning, or Capacity for Business. I must confess, I looked upon him in the same Light with other People, till I had the Honour

to be intimately acquainted with him. But then, I soon found my self very agreeably mistaken. The late Duke of Portland was what I shall venture to call a good Scholar: He understood Latin and Italian, and spoke two other Languages, (namely French and Dutch,) as well as English. I have seen him more than once write a very handsome Letter upon a Subject sufficiently delicate: He wrote a very good Hand, and spelt correctly. If any of my Readers should Smile, at my taking Notice that he wrote a good Hand, and could spell English; I beg Leave to inform them, that I have known a Secretary of State, who could do neither. He had a good Taste in Musick and Painting; and no bad one in Architecture and Gardening: His Fortune was inferior to few Mens in England; and there was a certain Magnificence and Splendor kept up in his Family, much superior to what I have seen in the Palaces of many a sovereign Prince.

NOTWITHSTANDING this, by the Care of his excellent Lady, such a Regularity and OEconomy was observed in all his Expences, That his Private Fortune was never hurt till the fatal Year 1720. He bore his Losses, in that Year, like a Philosopher; and would even sometimes, with a good deal of Humour, give an Account of the wicked Arts that had been used to ruin him. His Table was perfectly elegant; yet was he himself guilty of no Excess. His Reason was never once disturbed by Wine; and he so much detested those low Scenes of Lewdness with which many of our Nobility are delighted, that he has often assured me, he was never in all his Life in a publick Brothel. He had an infinite Fund of

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Good Humour ; and in Company was ever Gay, Polite, and Cheerful : He furnished his Quota in *Conversation* ; and was never better pleased, than when it turned upon something that was *useful*, as well as *diverting*. He had a *noble Generosity* in his Temper, and knew perfectly well how to add to a *Favour*, by the *Manner* of conferring it. The Magnificence amidst which he had been educated, and the *vast Fortune* which fell to him upon his Father's Death, prevented his engaging in *publick Business* till after the Year 1720 : But in his Government of *Jamaica*, all about him were amazed to see his *Application to Business*, and how very *capable* he was of it. I have already observed, that he drew up most of his *Letters* and *Dispatches* with his *own Hand* ; and I have been credibly informed, That no Governor of *Jamaica* ever gave more Satisfaction in *Hearing* and *Determining* all such *Causes* as were brought before him. He had, indeed, the two great Qualifications which every Colony ought to desire in their Chief *Judge* and *Magistrate* : He was neither *partial* nor *corrupt* ; so that I am very well assured, the Memory of himself, and that excellent Lady his Dutches, (whom the Merchants in *Jamaica* would frequently recommend as a Pattern to their own Wives,) will be always dear to the Inhabitants of that Island. His Grace was far from attaining the End he proposed in going to *Jamaica*, viz. to retrieve his Losses in the Year 1720. He knew not what it was to live in a *mean Figure*, and was incapable of *fleeing* the *People* committed to his Charge. His pri-
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vate Fortune, after he went there, was hurt by an Affair in which he engaged a little too hastily; and, if I am rightly informed, from a high *Puncto of Honour*, he refused to meddle with a certain Business, which if dexterously managed, might have proved vastly advantageous to himself, the Publick, and the Crown. I cannot help adding, That he deserved a little kinder Usage than he met with in the Reign of a Prince of the House of *Hanover*, to which Illustrious Family he had given the strongest Proofs of an hearty Zeal and Attachment. As a Consolation to his Misfortunes, Providence thought fit to bless him with several *hopeful Children*, and, in particular, with a Son, whose *fine Understanding*, improved by *Learning*, and the *Observations* he has made in his *Travels*, seem to promise that he will one Day be the *Ornament and Delight* of his native Country.

PARDON me, Sir, for paying this *just*, but *small Tribute* to the *Memory* of a great Man, who would have done all in his Power to have rendered my Circumstances easy, and Life agreeable, had he not been prevented by a most uncommon Instance of *mean Envy*, and *implacable Malice*.

I BELIEVE the Story I have told you, will abundantly convince you, whether I am, or am not singled out to be made a *Precedent of Cruelty and Severity*. We are told every Day, by a certain Set of Writers, That we live in a Country where our *Liberties and Properties* are secured to us in the most effectual Manner; where Justice is impartially administered; and where it is not in the Power of the greatest Man to oppress the meanest.

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My *Liberty* has been valued at *One Farthing*; and though I am robbed of my *Property*, I am neither able to *recover* it, nor to bring the Offenders to *Justice*. In short, I beg leave to repeat once again, That I have paid *greater Costs*, and received *less Damages*, than ever any *Englishman* did before in the same Circumstances. If this has happened without the Intervention of an *Hand of Power*, I hope I may at least have leave to say, that I am a very *unfortunate Man*; but if any *one Person* (let him be who he will) has Influence enough to be the *cause* of such Proceedings, I leave my Readers to judge in how blessed a Condition the *Life*, the *Liberty*, and the *Property* of every Man in *England* is, except that *one Person's*.

If you ask, For what Reason I have been treated thus? I will venture to assure you, That it is for no *Crime* I ever committed, either against my *King*, or my *Country*. I will go a little farther; and give you a few Reasons why I humbly conceive, I have deserved a *milder Treatment*: While I am thus groaning under an unusual Load of *Cruelty* and *Oppression*, I hope my Readers will have good Nature enough to excuse my saying *some Things* which would, perhaps, look too *vain*, if they were not *thus* extorted from me.

THE late Mr. *Addison*, to my certain Knowledge, performed at least as great, and as important Services for the House of *Hanover*, as any one Man now living. Besides this, his Writings of different Kinds have rendered his *Name* celebrated and *illustrious* over all *Europe*. To this *great Man*, I am the nearest Male Relation now living;

living : I owe Part of my Education to him ; and in Conjunction with himself, and Sir *Richard Steele*, wrote the *SPECTATORS*. This Work has been translated into most *European* Languages, and is no where thought a *Disgrace* to our Nation. I was at *Paris* since the *Spectators* appeared in *French* ; and wherever I was known to have had a Part in them, was received by Persons of the First Rank, among that Polite and Generous Nation, after a Manner which I had never *Vanity enough* (though, perhaps, *every Man* has *some*) to think I merited. Let all the *learned World* give the *French Nation* those Praises which are justly due to them. *Lewis* the Fourteenth (as *bloody*, and as *inhuman* a *Tyrant* ; as we were pleased to represent him) had, at least the *Humanity*, or the *Good Sense*, to be a Friend and Patron to *Men of Letters* : He not only gave daily Instances of this among his own Subjects : He extended his Generosity even to learned *Foreigners* : He caused our Countryman, Sir *Isaac Newton*, to be elected a Member of the *French Academy* : At the same Time, he settled a Pension upon him ; and, I am told, caused this Pension to be constantly paid him during the late War. If this is true, I will venture to say, This single Action will appear greater in the Eyes of Posterity, than all the Actions put together in the Reigns of some Princes. We were lately informed in our News Papers, That Mr. *Voltaire* was courted and carressed, even by the Princes of the Blood at the *French Court*, for the Genius he has shewn in his *Life of the late King of Sweden*. A Man must, indeed, be very blind, who cannot see great Beauties in that Piece ; yet, was
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was this very Piece fallen upon by our *Ministerial Writers*; and my *Memoirs of the Family of the Boyles* happening to be published about the same Time, I had the *Honour*, (for such I really esteem it,) to be abused in the same Paper with Mr. *Voltaire*. We are introduced in a Dialogue: The Scene is my Lodgings; where Mr. *Voltaire* and I are supposed to acquaint one another, in great *Confidance*, that we are a Couple of *Fools*, and *Blockheads*. However mean the Figure may be, which I have made in the *learned World*, I will venture to affirm, That there is but *One* Government in all *Europe*, under which I might not receive that *Protection* which the Laws afford to every other Man.

You may possibly imagine, Sir, from the Usage I meet with, that I have been found engaged in some *Plot*, and have been a *Traytor* to his present Majesty: But I do assure you, this is so far from being the Case, that I have done some *Services* both to the *late King*, and his *present Majesty*. The inhuman Treatment I have met with, forces me to say a little more: These *Services* have not been of a *common* or *vulgar* Nature; they have been *Services* of the *utmost* *Consequence*, and the *highest Importance*. Should these Lines happen to fall under the Eye of her most Sacred Majesty, the present Guardian of these Kingdoms, and she should think me a little too hardy in what I now assert, I am ready to give her Majesty convincing Proofs, either in a private Audience, or in a full Privy Council, that I speak *Truth*. Having named the Queen, I beg leave to add, That I am well assured, both her Sex, and her own good Nature, must render

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her an Enemy to all *Cruelties*. I am as firmly convinced, that her illustrious Consort can have nothing in his Temper that is *Cruel*, because *Mercy* and *Generosity* are the constant Inhabitants of a *brave Mind*. I hope, therefore, nothing I have said can possibly be *interpreted* into what, I am sure, I never intended, *viz.* the least Reflection upon either of their Majesties.

HAVING, I hope, given sufficient Proofs of my Loyalty to their Majesties, though I can by no Means agree with a *Set* of Writers, who talk of a *Loyalty*, which is due from us to *Ministers*, yet I will venture to assert, That I have given several Instances of a most sincere and hearty Affection for our present excellent *First Minister*: I am at this very Time a worse Man by at least *Ten thousand Pounds*, than I should otherwise have been, for my having done him one particular Piece of Service: If a Multitude of other Affairs should have made him forget it, I am ready to *refresh his Memory* before any Number of his own Friends: I confess, that when I thus served him, he was neither quite so *Great*, or so *Rich*, as he is at present; but by a *grateful Man* (as he has ever shewn himself) those Services were never thought the least meritorious, which have been rendered to him under his greatest Difficulties.

WHEN I came up to Town from the last *Oxford* Assizes, and found that I could neither bring those Persons who had robbed my House to a legal *Trial*, nor get a *Search-Warrant* for my Goods, though I tried more Ways than one, and could prove where a good Part of them lay by the positive Affidavits of *three* several Persons: I say, Sir, when I found this, I came up to
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Town with a full Resolution to have laid my deplorable Case before the *British* Parliament, and to have flung myself at the Feet, and have implored the *Protection* of those great CONSERVATORS of LIBERTY and PROPERTY. To this End, I actually talked with some Members of your House, but found their Session was drawing to a Conclusion ; that several Members were already gone into the Country, and that the remaining Part were taken up upon an *Affair* truly worthy the Attention of Patriots, I mean the Affair of the *Charitable Corporation*. While, with a Zeal worthy of yourselves, you were doing Justice to a *Multitude* of unhappy and deluded People, I could not reasonably desire or expect you should hearken to the Complaints of *one single Wretch*, however *just* they might appear to be.

PUR Sue, Sir, the glorious Path you are in ; shew yourselves the true Representatives of the People of *England* : Protect the Innocent, and punish such Offenders, as are much too *big* to be managed by our common Courts of Justice. May all Endeavours to *screen* them prove ineffectual : May your House be put upon no *wrong Scents*, nor artfully led out of the *Way*. In a Word, when at your next Session you are enquiring into this Scene of Iniquity, may you not be served like your late *Committee* for *inspecting Gaols*. I have strong Reasons to believe, that those Gentlemen were within an Hair's Breadth of making such *Discoveries*, as would have justly intitled them to have had their *Statues* erected at the Expence of their Country. The *English* Nation will never despair of having their *Grievances* redressed, while their Parliament is *free and uncorrupted* :

But should a *wicked Minister*, which Heaven avert, ever be able to secure a *corrupt Majority* in your House, then, Sir, then should we be *truly Slaves*; I will venture to say, we should be even *more* wretched *Slaves* than those who live under the most absolute Monarchy. The Reason is plain: A People had much better satisfy the *Avarice* and *Ambition* of *one Tyrant*, than of *three hundred*. The *Athenian State* was much more happy under the Government of *Pisistratus*, than under that of the *thirty Tyrants*. Our Parliament is our highest Court of Judicature; and should the *Fountain* ever be corrupted, what must become of all the inferior *Streams*? what Designs carried on under the *Mask* of *Justice*? what *scandalous Partialities* might we not then expect? I shall venture to assert, That should the *Laws* of *England* ever be turned into *Back-Swords*, I mean, should they be made to cut, wound, and destroy only *on one Side*, we should be a much happier Nation, if we had *none* at all. The People of *England* have been ever so fond of a *Parliament*, that we may properly enough call it their *Mistress*; yet, give me Leave to observe, Sir, That when we have a violent Passion for any one Object, our *Love* is usually mixed with a little *Jealousy*. With respect to the *King*, the Parliament may properly be called his *Political Wife*. It is not therefore sufficient she should be barely CHASTE; but, *The Wife of Cæsar ought not to be SUSPECTED*. For these Reasons, I believe, Sir, I may venture to assure you, That *Forty-nine* Parts in *Fifty* of your Fellow-Subjects, who have no *Places* or *Pensions* themselves, do most earnestly wish to see

see the *Pension Bill* pass. I have heard you more than once allow this excellent Bill to be absolutely *necessary* for the Preservation of our *Constitution*. Your Behaviour in Parliament on this, and every other Occasion, has given you an indisputable Right to the glorious Title of a *Friend to your Country*. I have no mean Opinion of your *Integrity* or *Abilities*, yet, give me Leave to say, Sir, That notwithstanding the Love and Esteem I have for you, my Respect for a *British Parliament* is so much superior to all *private* Considerations, that I heartily wish you was the most *worthless Member* in the whole *House of Commons*.

I HAVE Reasons to believe, that at your *next Meeting*, such a *Scene* will be opened, and such *Particulars* laid before you, as will require your utmost Attention. Possibly, as wretched a Creature as I am, I may be a mean Instrument of placing some certain *Facts* in their *true Light*. I will go a little farther : My *Papers* have been twice seized and rifled after a most wicked and unprecedented Manner ; notwithstanding which, should your House think it not beneath them to bear an unhappy Wretch, (who by a *certain Person*, and his *Adherents*, has been confidently reported to be a *Madman*,) I humbly hope, I have SOMETHING to offer to them, worthy the Consideration of the Representatives of their Country. To be plain, Sir, I am come to a certain Resolution, which I believe I shall keep, if I am not by some Means or other *sent out of the World* before your next Meeting. My *last Expression* may, perhaps, a little surprize you ; I shall therefore, without Ceremony, and without Comment, tell you the *Meaning* of it.

My

MY Friends (some of whom are Men of much better Judgment than myself) do think, that since a *certain Affair*, which made some *Noise* in the World, there have been *two several Attempts* to have murdered me in my *Bed*. The plain *Matter of Fact* stands thus :

ABOUT *Christmas* last was Twelvemonth, about Two a Clock in the Morning, I was awakened by a Noise at my Chamber-Door ; the Noise was like that of a *Key* turning round in a *Lock*, which did not belong to it ; and I really thought, that my Maid-Servant wanted something in the Room, and might have mistaken the *Key* : But upon my calling out, *Who is there ?* instead of receiving any Answer, the most violent Efforts were made to have broke open the Door. I thought it now high Time to knock, and alarm the House, which I did ; and when those who lay over me, began to stir, I heard the Fellow, who was at my Chamber-Door, trip up Stairs, where, by what afterwards happened, I have Reason to believe he got out of a Door in the Garret which opened upon the Leads of the House. I cannot pretend to guess at the Villain, only I had observed, that the Day before this Accident happened, I had been dogged for several Hours together, by a Fellow in a blue Rug Coat ; and once, when I turned back to look at him, the Wind blowing open his great blue Coat, I saw he wore under it a sort of *Frock* with *Metal-Buttons* ; and I thought, that in the Efforts which that Villain made, who endeavoured to break open my Chamber-Door, I plainly heard his *Metal-Buttons* grate against the

w Door,

Door, and an adjoining Wainscot. However, whether this Fellow and he who dogged me, were one and the same Man, I am not able to say.

I MADE no *Noise* of this Affair; yet could not forbear making my own *Reflections* upon it. That I might not be altogether wanting to my self, I took care from this Time to have a Light, or Lights, constantly burning all Night in my Chamber, which I never had before. I resolved likewise to get some Man to lie upon the same Floor with me. I pretended I wanted a Servant. Upon which, one who had formerly lived with me several Years, but was then a Housekeeper, recommended to me a lusty young Fellow, a Relation of his own. My old Servant passed his Word for the young Fellow's Honesty: But desired he might not wear a *Livery*, because his Father was a very substantial Farmer, and he himself actually Heir to an Estate of *Fourscore Pounds per Annum*. I ordered a Table-Bed to be put in that Room which was attempted to be broke open, and made this young Fellow lie in it. I told him nothing of the former Attempt, that he might not be under any Apprehension. Every Thing was quiet for about six Weeks: But at the End of that Time, about Three in the Morning, the same Villain, as I imagine, who made the former Attempt, came again. He was now so much improved in the Art of picking a Lock, that he got into the Room where my Servant lay, adjoining to my own, without making any Noise. However, as I happened to be awake, I heard some body stalking about the Room. I took it for granted, that it was my own Man,
who

who might want something in the Night, which he could not readily find ; but was sufficiently alarmed, when I heard the Fellow jump out of Bed, and cry out, *Who are you, Sir ? What do you do here ? What do you want ?* I immediately leaped out of Bed with my drawn Sword in my Hand, which lay constantly by me, and flew into the Dining-Room. I attempted to have opened the Door, which was next the Stairs : If I could have opened this Door, my Man and I should have had the Villain between us, and might probably have given a good Account of him : But I found the Door unfortunately locked. The Maid-Servant, who every Day lighted my Fire, had locked the Door, and taken the Key up with her. I tried in vain to break it open. All I could do in this Extremity was, to call out to my Servant to bid him fear nothing, for that I was coming to him, and to order him to *fire upon the Villain*, though, God knows, the poor Fellow had no Fire-Arms. At the same Time, instead of crying, *Murder*, which I thought might keep Folks in their Beds, I cried out, with all my Might, *Fire ! Fire !* This soon alarmed every body in the House. The Villain finding the Family was getting up, thought it high Time to retreat. He ran up Stairs, and (as we afterwards discovered) got out of a little Door which opens upon the Leads of the House. We found this little Door open, and another Door in the Garret leading to it, and which is constantly shut at Night, (however it happened,) was *now* likewise *wide open*. My Man told me, That as soon as ever he saw the Villain in his Room, he sprung out of Bed, and caught
up

up a Chair in his Hand, which was all he had to defend himself: That the Villain upon this retired back two or three Steps, and stood still a good while with a Pistol in his Hand, but without firing, or striking at him; till at last, upon the Noise I made, he went out at the Chamber-Door, which he had just before opened, ran up to the Garret, and made his Escape over the Leads in the Manner I have mentioned. Upon talking with the People of the House, who were all of them alarmed at this last Attempt, I found, that the Villain, in all Probability, had been once in the House, to see *how the Ground lay* before he made his *first* Attempt to break open my Chamber-Door. Every body in the House (except myself) heard a Man, one Night before that Attempt, go down from the Garret; and after he had staid some little Time, trip up Stairs again into the Garret.

ALL my Friends, who gave themselves the Trouble to talk with my Servant, (which some of them did,) are of Opinion, That the Villain could have no other Design, than to have murdered me. It is pretty evident, indeed, that he did not come to Steal: I am assured, that in the Garret through which he came, there was a great Quantity of Linen, and of a considerable Value; but that none of it was found missing. Besides, when he was in the House, he might with the utmost Ease have robbed all the Ground Floor, where no body lay, and which belongs to a substantial Tradesman, who had several *Things of Value* there: Whereas the Villain could have taken nothing from me (except my *Life*) but a few Books and Papers. My Friends are all convinced, that

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his

his Behaviour in my Man's Room proceeded from the Surprize he was under, when he found *another Person* in the Chamber, where he expected to have found *me*. They likewise lay some Stress upon a *particular Circumstance*: A Day or two before the first Attempt was made upon my Chamber-Door, a little *Italian Grey-bound* was stolen from me, which had been with me several Years before, used constantly to lie under my Bed, and would fall a barking upon the least Noise. I should not have mentioned this Circumstance, if I had not heard or read some where of an *Harlequin Dog*, who discovered an *horrid and bloody Plot* to have destroyed *Three Kingdoms*. For my own Part, I must ingenuously confess, I do not well know what to think of this whole Affair. I have only related *Matters of Fact*; I cannot help saying, That some *Circumstances* do look a little *odd*; yet, far be it from me to charge the *greatest Enemy* I have in the World, with having any Hand in so *Black* an Attempt, unless I could fully *prove* it upon him. Since this last Attempt, I have got some Fire-Arms, and never go to Bed without two Brace of Pistols loaded by me: I have likewise taken some other Precautions, and should endeavour to sell my Life as dear as I could, if it is ever pursued again after this Manner.

I HAVE often found myself dogged for an whole Day together, sometimes by *one Man*, and sometimes by *two*: I thought it *proper* enough to acquaint a certain Person, whom I went to see one Day, that *I had left my Equipage in the Street*, for that *I had been followed all the Morning by two Fellows*, who were at that Time not far from his Door.

Door. He immediately replied, *I don't care who knows you visit me. I assure you, Sir, if you are not ashamed of my Acquaintance, I am not ashamed of yours.* So generous an Answer from a Person so much my Superior, made me almost ashamed that I had told him I was dogged. If those Gentlemen, who still do me the Honour to follow me now and then, or to watch my Door for a whole Day together, mean nothing more, than to find out what Persons I see, I do hereby assure them, that they are heartily welcome to make the best of their *Discoveries*.

I HOPE, Sir, I have said enough to convince you that I have not *Complained* without being *Hurt*; and that my having been so long *Silent*, and never till now entering into *Particulars*, is some Proof that I have a tolerable Stock of *Patience*, especially for a *Madman*. I beg Leave, however, to assure you, That you do me a great deal of *Injustice*, if you imagine I have now said all that I could say. I could tell you how I have been flung into a *Prison*, and kept there *some Years* for a Debt, *pretended* to be due to a certain Person, to whom I do not owe *one Farthing*; but who, on the contrary, if a *currant Account* between us was fairly *ballanced*, (which *Account* I have more than once offered in open Court in Chancery to refer to any indifferent Persons,) is some *Hundreds of Pounds* in my Debt. I could tell you how an old Bond, given *twenty Years* since, and paid off above *twelve Years* since, has been trumped up against me, not by the *Person* to whom I gave it, but by a certain *Captain*, into whose Hands it fell by an *unlucky Accident*. I could tell you *some Proceedings* in this

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Case,

Case, which I hope and believe are without a *Precedent*.

I COULD tell you how, when I was *extremely ill*, and upon the *very Day* I had taken *Physick*, I was dragged by a *Tipstaff* by *Force* out of my own Lodgings, and in my Morning-Gown, to the *Court of Chancery*, though there was no more *Occasion* for my Appearance in that Court, than there is at this Time for yours. I could tell you, that my Lord Chancellor (to give him his Due) seemed thoroughly shocked at this most *infamous and unprecedented Piece of Barbarity*. I could tell you, and truly too, that I look upon it as done with a Design to have *murdered* me; and that it had very near compleated that Design: Upon my Return to my Lodgings, I fell into such a *Fit* as I *never* was seized with till *that Day*, and which those about me thought would have carried me off. I could tell you many other Things. In short, Sir, if you are a little surprized at some Particulars in the preceding Sheets, how much greater would your Surprise be, should I draw up the *Curtain* entirely, and present to your View a *certain Scene*, which I could lay open? But I hope I have lived long enough in the World to observe that excellent Precept given us in an old plain *English* Proverb, namely, That *Truth is not to be spoke at all Times*; and to know, that there are some Truths, especially of such a Kind, that they will infallibly lose their *Force*, if they are not reserved for a *proper Time*, and a *proper Place*. The cruel *Persecution* and *Oppressions* I have struggled under for these *Ten Years* last past, have made *Death* infinitely preferable to such a *Life*

as

as I have led. I hope I am not afraid to *die*; and I believe there is no Man of any *Spirit*, who in the *like* Circumstances would not have put an End to his *Life*, could he have been assured, that his *Afflictions* would have ended with it. I must own, I am not quite so *clear* upon the Subject of *Suicide*; as several great and good Men have declared themselves to be; yet, if I ever lay under any Temptation to have committed it, I have been withheld from it by *two* Reasons: If it be a Crime, it is such a one, as it is scarce possible to repent of; and this Circumstance, which is almost peculiar to this very Action, must, methinks, have a good deal of Weight with every thinking Man.

THERE is another Reason, which, though a mere Trifle, if compared to the former, I cannot deny had some little Weight with me.

I HAVE Grounds to believe, that a certain Man has used his utmost Endeavours to drive me to this very Action; and that he once *hoped*, and even *expected* every Day to hear that I had committed it: And I will not assert, that a Resolution I have taken, never more to contribute to his *Pleasures*, may have had its Weight in making me not altogether weary of Life. I hope, however, I shall never put too great a Value upon it. And though the *King of Sparta* should *once more* call me a *Desperado* in Print, I shall *once more* repeat those *very Words* which induced his *Spartan* Majesty formly to be so severe upon me, *viz.*
 “ That Did I but know how to lay down my Life
 “ for the real Service of my poor Country, you
 “ should soon see how little I would hesitate to part
 “ with it.”

I HAVE already hinted, that I am not without Hopes of being a mean Instrument of doing my Country some little *Service* at your *next Meeting* : Yet, if my promising to reveal *nothing* which was ever said to me under the *Seal of Friendship*, is sufficient to make a certain Person *Easy*, he may be *Easy*. There are some *certain Measures*, which, under all Events and the utmost Provocation, I am determined to keep, not for *his* sake, but my *own*. Give me leave to add, Sir, that I find there is a general Expectation from your next Session. I believe the Voice, and Cries of the whole Kingdom either have, or will let you know, what it is they expect from you : And I dare say you will agree with me, that nothing can be more monstrous than to imagine that the *Representatives of a People* will act directly contrary to the *Wishes* and *Inclinations* of that People whom they represent.

ONE of the first Things you will probably go upon, will be to take the *State of the Nations* into your Consideration. Our present Condition is represented to us in a very different Light by two Sets of Writers.

WE are told by one Set of Writers, That the *British* Nation was never in so happy and flourishing a Condition as now : That the Glory of *England* is arrived to the highest Pitch, under the Administration of our present excellent Minister : That Trade and Commerce were never before settled upon so happy a Foot : That we are beloved by our Allies, feared by our Enemies, and respected by all the World : That we have nothing to do, but to sit down every Man under his
own

own Fig-Tree, and quietly enjoy all those Blessings which our great Minister is daily procuring for us : That we ourselves may sleep, and take our Rest, since his Eyes are ever open, and his Head constantly employed to remove every Danger that can possibly threaten us : That with a disinterested Generosity, which cannot be too much commended, he is pleased to prefer our Ease and Happiness to his own : That the only Thing we have to take Care of, is, that we do not fall into too much Luxury amidst the present Affluence and Plenty of Money : That we live in an Age and Country where *Liberty* is in its Ascendant : That we are the only happy Nation in *Europe*, who have it in as high Perfection as human Nature is capable of enjoying : That every Man's *Property* is rendered sure to him by the best Laws, which were ever composed, and is as *Secure* as any Thing can be made in this World : That *Justice* is in all Cases so *Impartially* administered, that the *Greatest* Man among us is not able to oppress the *Meanest*.

ANOTHER Set of Writers maliciously insinuate, That from being very lately a *Terror* to all our Enemies, and holding the Ballance of *Europe*, we are become the Jest, the Scorn, the Contempt, and the Derision of every Nation round about us : That our *Trade* (the very *Soul* of our Nation) is decayed, and decaying in all its Branches ; and that it will hardly be possible for us to take it out of those new Canals into which it is lately fallen : That our first Minister is so far from being qualified for his Post, that he understands nothing at all of foreign Affairs : That he is so far from being a Master of *Languages*, that he cannot even speak

speak *French* : That the strongest Passions in him
 are the *Love of Money*, and a *mean Jealousy* of
 every Man who has those Qualifications he wants
 himself : That Millions of People have lost either
 their *Friends* or their *Fortunes* by his pernicious
 Measures : That he has taken much more Care
 of *himself* and his Dependants, than of the *Pub-
 lick* : That while the Nation in general is groan-
 ing under *Poverty* and *Oppression* ; while our Mer-
 chants Ships are daily taken, our Colonies decay-
 ing, our Tradesmen becoming Bankrupts, our
 Farmers unable to pay their Rent, and our Streets
 filled with Beggars, there are two or three Fa-
 milies who are daily acquiring and hoarding up
 such immense Sums, as must in a few Years stop
 even the Circulation of our Money : That though
 our Prince himself has a thousand great and no-
 ble Qualities in him, yet that his People are
 prevented from receiving the Influence of them,
 by this Minister's interposing and hanging like a
black Cloud between *them* and their *King* : That
 He and his Creatures have found a Way to pre-
 vent the just Complaints of his Majesty's Subject
 from reaching his royal Ear : That the whole Ad-
 ministration of this same Minister has been no-
 thing else but *Blunder* upon *Blunder* ; and that all
 his *Politicks* may be comprised in one single Word,
viz. CORRUPTION : That the People are bur-
 thened with heavy Taxes, and a standing Army ;
 and their Debts not lessened in a Time of Peace :
 That tho' no People have the *Word* LIBERTY
 more in their Mouths ; no People are perhaps
 less acquainted with the *Thing* itself : That
 our *Laws* are so far from being so very excellent
 and perfect, as some would persuade us, that *Rea-
 son*

son and Justice are too often lost and stifled under *Forms of Law* : And that, in a Word, the *Law* itself, as it now stands, or is sometimes interpreted, seems too capable to enable the *Rich* and the *Wicked* to oppress the *Poor* and the *Innocent*.

I SHALL not examine into the Truth or Falshood of the several Assertions and Insinuations of these two Sets of Writers. The *Commons* of *England* assembled in a *free* Parliament are doubtless the best and properest Judges of the true *State of the Nation* ; nor can I doubt, Sir, but at your next Meeting you will examine in what Condition the *British* Nation really is ; and that you will act accordingly. One Thing I beg Leave to say, namely, That there is not a Man in *England* who will more heartily rejoice than myself, to find his Country in that happy Condition it is said to be in by the first Set of Writers whom I have mentioned ; or to see that all the Complaints raised against our excellent Minister are without the *least Foundation*, and proceed from nothing else than the causeless Clamours of a few worthless Men, who are base enough to wound the very *Hand* that feeds and preserves them, and to *envy* those great Actions they are unable to *imitate*. If, upon a fair and thorough Examination this should appear to be the true State of the Case, I will venture to assure our First Minister he may safely *despise* all his Enemies, and need give no Orders for *Prosecutions* in *Westminster-Hall*. Most of the Prosecutions against those Writings, which any particular Set of Men call *Libels*, have, in my humble Opinion, smelt extremely *Rank* of downright Ty-

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ranny and arbitrary Power : I dare say there is no *Man of Sense*, who would not be much sooner convinced, by seeing the *Arguments* in any Pamphlet fairly *Answered*, or the *Matters of Fact* it asserts proved to be *False*, than by hearing it was called a *Libel* in *Westminster-Hall*.

I SHALL conclude with desiring the *Protection* of *Providence* on no other *Terms*, than as these Sheets are most sincerely intended for the Good of my Country : I should not expect my Fellow-Subjects would lend their Attention to the several Particulars I have mentioned, if what is *my Case* to *Day*, might not happen to be their *own* to *Morrow* : But it is certainly high Time for every Man to look about him, and to consider upon what Foot his own *Liberty* and *Property* stand ; when in the Words of my Motto, *Jam proximus ardet Ucalegon* ; that is, in plain *English*, *When his next Neighbour's House is already on Fire*.

I am with great Esteem,

July. 15th,
1732.

S I R,

Your Most Faithful

Humble Servant,

E. BUDGELL.

F I N I S.

T H E
A P P E N D I X.

HAVING some *particular Reasons* not to be satisfied, that my Servant, who was my *chief Evidence*, had only sworn that my House was robbed before that Justice of Peace who granted me my *extraordinary Search-Warrant*; I got the Fellow to make an Affidavit likewise of the said Robbery before the Recorder of *Oxford*, though this Gentleman, as I have already observed, does not act as a Justice of Peace in the County at large. The following Affidavit, taken before him, is what I referred my Readers to in the 127th Page of the preceeding Sheets.

“ **A** *Brabam Maids* saith, That *Eustace*
“ *Budgell* Esquire, having left the Care
“ of his House, and all the Keys of the said
“ House with him, he took care not only to
“ lock up the Doors of the said House, but to
“ bolt and barricade them in such a Manner,
“ that no Key could open the same ; But saith,
“ That the said House was several Times broke
“ open, and several Goods of a considerable
“ Value taken away at divers Times out of the
“ same ; so that at present, almost all the Goods
“ in the said House, which was well furnished,
“ are

“ are stole away. And the said *Abraham Maids*
 “ further saith, That early one Morning, about
 “ May last, being informed, that there had
 “ been a Knocking heard in the House, he
 “ went in the back Way, and actually caught
 “ *John Piers* of *Denton*, *William Badcock* of
 “ *Gazington*, and *John Gillman* of the same,
 “ who had broke open the Hall-Door of the
 “ said House, which he the said *Maids* had
 “ firmly secured with a large Bar: And the said
 “ *Maids* saith, That the three Persons aforesaid
 “ were actually carrying off several of the Goods
 “ belonging to his Master, when he came upon
 “ them; and saith, That the said three Persons
 “ were under the utmost Fright and Surprise,
 “ when they were caught by him the said *Maids*;
 “ and that *Piers* and *Gillman* did in particular
 “ look as if they would have fainted away: And
 “ the said *Maids* told the said *Piers*, That he was
 “ a base Man for breaking open his Master’s
 “ House, and stealing his Goods several Times
 “ before in the Night; because he the said
 “ *Maids* might be hanged upon Suspicion of
 “ having taken the same: And the said *Maids*
 “ saith, That *Piers* and *Gillman* were so con-
 “ founded, that they made him no Answer; but
 “ that *Badcock* had the Impudence to say, That
 “ he the said *Maids* could not tell where they
 “ had the Goods; although the said *Maids* did
 “ very well know they were his Master’s, and
 “ taken out of the House which was broke
 “ open.

“ AND the said *Maids* saith, That his Mas-
 “ ter’s House was broke open five or six Times,
 “ and some of the Goods taken away every
 “ Time;

“ Time; and that the Persons who broke it
 “ open, got in sometimes at the Windows, and
 “ sometimes at the Doors: And he doth believe
 “ that the said *Piers* was always concerned in
 “ breaking open the said House, because he the
 “ said *Maid*s doth know, that many of the
 “ Goods taken away at the said Times, are now
 “ in the Possession of the said *Piers*; and that
 “ some of them are in the House, where the said
 “ *Piers* now lives, and that others of them are
 “ hid in a Barn. Of all which he the said *Maid*s
 “ is ready to make Oath. In Witness whereof
 “ he hath hereunto set his Hand this 26th Day
 “ of *August*, 1731.

Abraham Maids.

August 30, 1731.

*Sworn by Abraham Maids before me, That
 the Contents of this Paper is true; and that his
 Name is thereto subscribed.*

MAT. SKINNER.

“ *Abraham Maids* farther saith, That he doth
 “ believe, the House of his Master *Eustace*
 “ *Budgell* Esquire was always broke open in the
 “ Night, or at such Times as *John Piers* and
 “ his Accomplices were well assured he the said
 “ *Maid*s was at a great Distance, save only at
 “ that Time when they were apprehended by
 “ him the said *Maid*s. And the said *Maid*s far-
 “ ther saith, That he is credibly informed, and
 “ doth believe, that *William Badcock* of *Gazing-*
 “ *ton*, did declare some Time after the said *Maid*s
 “ had caught him carrying away his Master's
 “ Goods,

“ Goods, when he had broke open the House,
 “ That if it was to do again, be the said Badcock
 “ would have knocked the said Maids in the Head,
 “ and have buried him in the Orchard, belonging
 “ to the said Maids’s Master’s House.

“ AND the said Maids saith, That he hath
 “ heard, and doth verily believe, that the said
 “ Piers and his Associates were encouraged to
 “ do what they have done, from a firm Belief
 “ that the said Maids’s Master, *Eustace Budgett*
 “ Esq; was confined for Debt, and would never
 “ be in a Condition to prosecute them; and that
 “ they would never have dared to rob his House,
 “ had they ever thought he would have recover-
 “ ed his Liberty.

“ And the said Maids saith, That they be-
 “ gan their Attempts, as he believeth, by taking
 “ away a Grinding-Stone belonging to his Mas-
 “ ter, which lay in a Hovel; because the said
 “ Piers, soon after the said Stone was missing,
 “ came to him the said Maids, and said; *What,*
 “ *I hear you have had your Grinding-Stone stole?*
 “ To which the said Maids replied, *I believe you*
 “ *know what is become of him.* And the said
 “ Maids hath been informed that the said Piers
 “ did actually take away the said Stone, and
 “ hid it in a Ditch for some Time after he
 “ had stolen it; but at last carried it to the
 “ House of *William Burges* in the Parish of
 “ *Gazington*, where the said Maids hears the
 “ said Stone now is. And the said Maids saith,
 “ That he doth conceive the said Piers finding
 “ himself not prosecuted for the said Stone, did
 “ proceed to break open, and to rob his the said
 “ Maids Master’s House in the Manner the said
 “ Maids

“ *Maid* hath given under his Hand Yesterday:
 “ Of all which the said *Maid* is ready to make
 “ Oath, if he is legally called upon so to do.
 “ In witness whereof he hath hereunto set his
 “ Hand this 27th Day of *August*, 1731.

Abraham Maids.

Aug. 30, 1731.

Sworn by *Abraham Maids* before me, That the
 Contents of this Paper is true; and that his Name
 is thereto subscribed.

MAT. SKINNER.

Besides these two Papers my Servant signed a
 third Paper, containing some Particulars, which
 for certain Reasons I shall not publish at present.

THE following Affidavit of my Maid Servant's,
 is what I referred my Readers to in Page 128.

“ **M**ARY Harris maketh Oath, That above
 “ two Years since her Master *Eustace*
 “ *Budgell Esq* (who was at that Time under
 “ Confinement in the *Fleet*) called her this De-
 “ ponent to him, and declared unto her, That
 “ he was very uneasy for fear his Papers should
 “ be seized, and rifled once again, as she this
 “ Deponent well knew they formerly were at
 “ his House in *Arundel-Street*; and that he
 “ was therefore resolved to send down to his
 “ House in *Oxfordshire* some of his said Papers,
 “ containing Accounts between him and other
 “ Persons, several private Letters of Conse-
 “ quence, and other Matters; and ordered this
 “ Deponent to get herself ready to go down the
 “ very next Day into *Oxfordshire* with the said
 “ Papers:

“ Papers : And this Deponent did make herself
 “ ready accordingly; and received early the next
 “ Morning from her said Master’s own Hands
 “ a small Bag (such as Lawyers commonly carry
 “ their Papers in) almost full of Papers, which
 “ her said Master had packed up the Night be-
 “ fore, in several Sheets of brown Paper, and
 “ had sealed up with his own Seal in several
 “ Places on the said brown Paper. And this
 “ Deponent farther saith, That when her Mas-
 “ ter gave her the said Bag of Papers, he did
 “ strictly charge and command her several Times
 “ over to take the utmost Care thereof; de-
 “ claring, that as much as he wanted Money, he
 “ would not lose the said Papers for two Thou-
 “ sand Pounds; or Words to that Effect; and
 “ ordered this Deponent, as soon as she came to
 “ his House in *Oxfordshire*, to cause a large strong
 “ Chest in the said House to be removed up into
 “ a little Closet in one of the Garrets, and to put
 “ the said Papers in the said Chest; and also to
 “ put two good Locks, one upon the Chest, and
 “ another on the Closet-Door; and having care-
 “ fully locked the same, to bring away the Keys
 “ with her, and not to leave them with *Abraham*
 “ *Maids*, who had the Care of the House, and
 “ the Goods therein, and the Keys of every other
 “ Room in the said House. And this Deponent
 “ saith, That she did go down into *Oxfordshire*
 “ accordingly, got the aforesaid Chest removed
 “ up into the said Closet, and put the said Pa-
 “ pers therein. And because her Master had
 “ strictly charged her to let no body know of
 “ her carrying down the said Papers, she, this
 “ Deponent, to avoid any Suspicion of her put-
 “ ting

“ ting Papers into the said Chest, did likewise
 “ put some Linen, Pewter-Dishes and Plates,
 “ into the said Chest; and having caused two
 “ good new Locks to be put upon the Chest
 “ and the Closet-Door, and carefully locked the
 “ same, brought away the Keys with her to
 “ *London*, and hath had them in her Possession
 “ ever since. And this Deponent farther saith,
 “ That being carried down by her Master to the
 “ Assizes held at *Oxford* in *March* last, she found
 “ that her Master’s Country-House, which was
 “ well furnished with Goods sent down from his
 “ House in *Arundel-Street* in the *Strand*, and with
 “ such Goods as he had bought in *Oxfordshire*,
 “ was entirely stripped from Top to Bottom :
 “ That the said Chest was carried away; and that
 “ the very Tools, and Washing-Vessels in the
 “ Out-houses, and a large Copper-Furnace, were
 “ also stolen, and carried away. And this De-
 “ ponent saith, That being carried by her Fel-
 “ low-Servant, *Abraham Maids*, to a Barn which
 “ stands by it self in a Field, and is now in the
 “ Possession of one *John Piers*, she, this Depo-
 “ nent, looked into the said Barn through the
 “ Crevices of the Boards, and saw therein a great
 “ Quantity of her said Master’s Goods.”

Mary Harris,

Jurat 24th Day of July 1732,
before me at the Publick Office.

FRAN. ELDE,

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*(With a Frontispiece designed by Vanderbank,
and engraved by Vandergucht)*

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Printed for *J. Tonson,* over-against *Catherine-
Street* in the Strand.

A SHORT
HISTORY
OF
Standing Armies
IN
ENGLAND.

WRITTEN

By that Eminent Patriot,
THOMAS TRENCHARD, *Esq;*

——— *Captiq; dolis, donisq; coacti,*
Quos neq; Tydides, nec Larissæus Achilles,
Non anni domuere decem, non mille Carinæ.
Virg. *Æn.* ii.

What are we to expect if in a future Age an ambitious Prince, should arise with a dissolute and debauch'd Army, a flattering Clergy, a prostitute Ministry, a Bankrupt House of Lords, a Pensioner House of Commons, and a slavish and corrupted Nation. Vide Pag. 24.

L O N D O N :

Printed in the Year 1698. and now re-printed and sold by
W. France, at the *Muse-Gate*, and the Book-sellers of *London* and *Westminster*. M,DCC,XXXI.
(Price One Shilling.)

PROTESTANT
SOCIETY

OF THE
CITY OF
NEW YORK

AND
OF THE
COUNTY OF
NEW YORK

IN SENATE
JANUARY 1861

THE PREFACE.

THERE is nothing in which the Generality of Mankind are so much mistaken as when they talk of Government. The different Effects of it are obvious to every one, but few can trace its Causes. Most Men having indigested Ideas of the Nature of it, attribute all publick Miscarriages to the Corruption of Mankind. They think the whole Mass is infected, that it's impossible to make any Reformation, and so submit patiently to their Countries Calamities, or else share in the Spoil: Whereas Complaints of this Kind are as old as the World, and every Age has thought their own the worst. We have not only our own Experience, but the Example of all Times, to prove that

Men in the same Circumstances will do the same Things, call them by what Names of Distinction you please. A Government is a mere Piece of Clock-work; and having such Springs and Wheels, must act after such a Manner; And therefore the Art is to constitute it so that it must move to the publick Advantage. It is certain that every Man will act for his own Interest; and all wise Governments are founded upon that Principle: So that this whole Mystery is only to make the Interest of the Governors and Governed the same. In an absolute Monarchy, where the whole Power is in one Man, his Interest will be only regarded: In an Aristocracy the Interest of a few; and in a free Government the Interest of every one. This would be the Case of England if some Abuses that have lately crept into our Constitution were remov'd. The Freedom of this Kingdom depends upon the Peoples chusing the House of Commons, who are a Part of the Legislature, and have the sole Power of giving Money. Were this a true Representative, and free from external Force or private Bribery, nothing could pass there but what they thought was for the publick Advantage. For their own Interest is so interwoven with the Peoples, that if they act for themselves (which every one of them will do as near as he can) they must act for the common Interest of England. And if a few among them should find it their Interest to abuse their Power, it will be the Interest of all the rest to punish them for it; and then our Government would act mechanically, and a Rogue will as naturally be hang'd as a Clock strike twelve when the Hour is come. This is the Fountain-Head from whence the People expect all their Happiness, and the Redress of their Grievances; and if we can preserve

preserve them free from Corruption, they will take Care to keep every Body else so. Our Constitution seems to have provided for it, by never suffering the King (till Charles the Second's Reign) to have a Mercenary Army to frighten them into a Compliance, nor Places or Revenues great enough to bribe them into it. The Places in the King's Gift were but few, and most of them Patent Places for Life, and the rest great Offices of State enjoy'd by single Persons, which seldom fell to the Share of the Commons, such as the Lord Chancellor, Lord Treasurer, Privy-Seal, Lord High-Admiral, &c. and when these Offices were possess'd by the Lords, the Commons were severe Inquisitors into their Actions. Thus the Government of England continued from the Time that the Romans quitted the Island, to the Time of Charles the First, who was the first I have read of that made an Opposition to himself in the House of Commons the Road to Preferment; of which the Earl of Strafford and Noy were the most remarkable Instances; who from great Patriots became the chief Assertors of Despotic Power. But this serv'd only to exasperate the rest; for he had not Places enough for all that expected them, nor Money enough to bribe them. 'Tis true, he rais'd great Sums of Money upon the People; but it being without Authority of Parliament; and having no Army to back him, it met with such Difficulties in the raising, that it did him little good, and ended at last in his Ruin, tho' by the Means of a long and miserable War, which brought us from one Tyranny to another; for the Army had got all Things into their Power, and govern'd the Nation by a Council of War, which made all Parties join in calling in Charles the Second: So that he came in with the general Applause

of

of the People, who in a kind fit gave him a vast Revenue for Life. By this he was enabled to raise an Army, and bribe the Parliament, which he did to the Purpose; but being a luxurious Prince, he could not part with great Sums at once. He only fed them from Hand to Mouth: So that they found it as necessary to keep him in a constant Dependence upon them, as they had upon him. They knew he would give them ready Money no longer than he had absolute Necessity for them, and he had not Places enough in his Disposal to secure a Majority in the House; for in those early Days the Art was not found out of splitting and multiplying Places; as instead of a Lord Tr---r to have Five Lords of the Tr---ry; instead of a Lord Ad---l to have Seven Lords of the Ad---ty; to have Seven Commissioners of the C---ms, Nine of the Ex---se, Fourteen of the N---vy Office, Ten of the St---mp Office, Eight of the Pr-----ze Office, Sixteen of the Commissioners of Tr---de, Two of the P---st Office, Four of the Transports, Four for Hackney Coaches, Four for Wine-Licences, Four for the Victualling Office, and Multitudes of other Offices, which are endless to enumerate. I believe the Gentlemen who have the good Fortune to be in some of these Employments, will think I complement them, if I should say they have not been better executed since they were in so many Hands, than when in fewer: And I must confess, I see no Reason why they may not be made twice as many, and so ad infinitum, unless the Number be ascertained by Parliament; and what Danger this may be to our Constitution, I think of with Horror. For if in Ages to come they should be all given to Parliament Men, what will become of our so much boasted Liberty?

Liberty? What shall be done when the Criminal becomes the Judge, and the Malefactors are left to try themselves? We may be sure their common Danger will unite them, and they will all stand by one another. I do not speak this by guess; for I have read of a Country where there was a constant Series of Mismanagement for many Years together, and yet no Body was punish'd: And even in our Country I believe, some Men now alive can remember the Time, when if the then King had but twenty more Places in his Disposal, or disposed of those he had to the best Advantage, the Liberty of England had been at an End. I would not be understood quite to exclude Parliament-Men from having Places; for a Man may serve his Country in two Capacities; but I would not have it to be a Qualification for a Place; because a poor Borough thinks a Man fit to represent them, that therefore he must be a Statesman, a Lawyer, a Soldier, an Admiral, and what not? If this Method should be taken in a future Reign, the People must not expect to see Men of Ability or Integrity in any Places, while they hold them by no other Tenure than the Disservice they do their Country in the House of Commons, and are sure to be turned out upon every prevalent Faction on the other Side. They must then never expect to see the House of Commons act vigorously for the Interest either of King or People; but some will servilely comply with the Court to keep their Places, others will oppose it as unreasonably to get them: And those Gentlemen whose Designs are for their Countries Interest, will grow weary of the best Form of Government in the World, thinking by Mistake the Fault is in our Constitution. I have heard of a
Country,

Country, where the Disputes about Offices to the Value of thirty thousand Pounds per Annum, have made six Millions ineffectual; what by some Mens prostitute Compliance, and others openly clogging the Wheels, it has caused Want and Necessity in all Kinds of Men, Bribery, Treachery, Profaneness, Atheism, Prodigality, Luxury, and all the Vices that attend a remiss and corrupt Administration, and a universal Neglect of the Publick. It is natural to run from one Extreme to another; and this Policy will at last turn upon any Court that uses it: For if they should be resolv'd to give all Offices to Parliament-Men, the People will think themselves under a Necessity to obtain a Law that they shall give none, which has been more than once attempted in our own Time. Indeed, tho' there may be no great Inconvenience in suffering a few Men that have Places to be in that House, such as come in naturally, without any indirect Means, yet it will be fatal to us to have many: For all wise Governments endeavour as much as possible to keep the Legislative and Executive Parts asunder; that they may be a Check upon one another. Our Government trusts the King with no Part of the Legislative but a Negative Voice, which is absolutely necessary to preserve the Executive. One Part of the Duty of the House of Commons is to punish Offenders, and redress the Grievances occasion'd by the Executive Part of the Government; and how can that be done if they should happen to be the same Persons, unless they would be publick spirited enough to hang or drown themselves?

But in my Opinion, in another Thing of no less Importance, we deviated in Charles the Second's Time

Time from our Constitution; for tho' we were in a Capacity of punishing Offenders, yet we did not know legally who they were. The Law has been always very tender of the Person of the King, and therefore has dispos'd the Executive Part of the Government in such proper Channels, that whatsoever lesser Excesses are committed, they are not imputed to him, but his Ministers are accountable for them: His Great Seal is kept by his Chancellor, his Revenue by his Treasurer, his Laws are executed by his Judges, his Fleet is managed by his Lord High Admiral, who are all accountable for their Misbehaviour. Formerly all Matters of State and Discretion were debated and resolved in the Privy Council, where every Man subscribed his Opinion, and was answerable for it. The late King Charles was the first who broke this most excellent Part of our Constitution, by settling a Cabal or Cabinet Council, where all Matters of Consequence were debated and resolved, and then brought to the Privy Council to be confirmed. The first Footsteps we have of this Council in any European Government, were in Charles the Ninth's Time of France, when resolving to massacre the Protestants, he durst not trust his Council with it, but chose a few Men whom he called his Cabinet Council: And considering what a Genealogy it had, 'tis no wonder it has been so fatal both to King and People. To the King; for whereas our Constitution has provided Ministers in the several Parts of the Government to answer for Miscarriages, and to skreen him from the Hatred of the People; this on the contrary protects the Ministers, and exposes the King to all the Complaints of his Subjects. And 'tis as dangerous

The Preface.

to the People: For whatever Miscarriages there are, no Body can be punished for them; for they justify themselves by a Sign Manual, or perhaps a private Direction from the King: And then we have run it so far, that we can't follow it. The Consequence of this must be continual Heart-burnings between King and People; and no one can see the Event.

A SHORT
HISTORY
OF
Standing Armies
IN
ENGLAND.

IF any Man doubts whether a Standing Army is Slavery, Popery, Mahometism, Paganism, Atheism, Free-thinking, or any Thing which they please, let him read,

First, The Story of *Matbo* and *Spendius* at *Carthage*, and the *Mamalukes* of *Egypt*.

Secondly, The Histories of *Strada* and *Bentivolio*, where he will find what Work nine thousand *Spaniards* made in the *Seventeen Provinces*, tho' the Country was full of fortified Towns, possessed by the Low Country Lords, and they had Assistance from *Germany*, *England*, and *France*.

Thirdly, The History of *Philip de Commynes*, where he will find that *Lewis XIth* enslaved the vast Country of *France* with 25000 Men, and

that the raising 500 Horse by *Philip of Burgundy* firnamed the Good, was the Ruin of those Provinces.

Fourthly, Ludlow's Memoirs, where he will find that an Army raised to defend our Liberties, made Footballs of that Parliament, at whose Actions all *Europe* stood amazed, and in a few Years set up ten Sorts of Government contrary to the Genius of the whole Nation, and the Opinion of Half their own Body : Such is the Influence of a General over an Army, that he can make them act like a Piece of Mechanism, whatever their private Opinions are.

Lastly, Let him read the *Arguments against a Standing Army*, the *Discourse concerning Militias*, the *Militia Reform'd*, and the Answers to them; but lest all this should not satisfy him, I will here give a short History of Standing Armies in *England*, I will trace this Mystery of Iniquity from the Beginning, and shew the several Steps by which it has crept upon us.

The first Footsteps I find of a Standing Army in *England* since the *Romans* left the Island, were in *Richard II's*. Time, who raised four thousand Archers in *Cheshire*, and suffered them to plunder, live upon free Quarter; beat, wound, ravish, and kill wherever they went; and afterwards he called a Parliament, encompassed them with his Archers, forced them to give up the whole Power of Parliaments, and make it Treason to endeavour to repeal any of the arbitrary Constitutions that were then made: But being afterwards obliged to go to *Ireland* to suppress a Rebellion there, the People took Advantage of it, and dethron'd him.

The Nation had such a Specimen in this Reign of a Standing Army, that I don't find any King from him to *Charles I.* that attempted keeping up any Forces in Time of Peace, except the Yeomen of the Guard, who were constituted by *Henry VII.* And tho' there were several Armies raised in that Time for *French, Scotch, Irish,* and other foreign and domestick Wars; yet they were constantly disbanded as soon as the Occasion was over. And in all the Wars of *York* and *Lancaster*, whatever Party prevail'd, we don't find they ever attempted to keep up a Standing Army. Such was the Virtue of those Times, that they would rather run the Hazard of forfeiting their Heads and Estates to the Rage of the opposite Party, than certainly enslave their Country, tho' they themselves were to be the Tyrants.

Nor would they suffer our Kings to keep up an Army in *Ireland*, tho' there were frequent Rebellions there, and by that Means their Subjection very precarious; as well knowing they would be in *England* when called for. In the first three hundred Years that the *English* had Possession of that Country, there were no Armies there but in Times of War. The first Force that was established was in the 14th of *Edward IV.* when 120 Archers on Horseback, 40 Horsemen, and 40 Pages were established by Parliament there; which six Years after were reduced to 80 Archers, and 20 Spearmen on Horseback. Afterwards in *Henry VIII's* Time, in the Year 1535. the Army in *Ireland* was 300; and in 1543. they were increas'd to 380 Horse, and 160 Foot, which was the Establishment then. I speak this of Times of Peace; for when the *Irish* were in
Rebellion,

Rebellion, which was very frequent, the Armies were much more considerable. In Queen *Mary's* Time the Standing Forces were about 1200. In most of Queen *Elizabeth's* Reign the *Irish* were in open Rebellion; but when they were all suppress'd, the Army establish'd was between 1500 and 2000; about which Number they continued till the Army rais'd by *Strafford* the 15th of *Charles I.*

In the Year 1602. died Queen *Elizabeth*, and with her all the Virtue of the *Plantagenets*, and the *Tudors*. She made the *English* Glory sound thro' the whole Earth: She first taught her Country the Advantages of Trade; set Bounds to the Ambition of *France* and *Spain*; assisted the *Dutch*, but would neither permit them or *France* to build any great Ships; kept the Keys of the *Maes* and *Scheld* in her own Hands; and died with an uncontroll'd Dominion of the Seas, and Arbitress of Christendom. All this she did with a Revenue not exceeding 300000 Pounds *per Annum*; and had but inconsiderable Taxes from her People.

No sooner was King *James* come to the Crown, but all the Reputation we had acquir'd in her glorious Reign was eclips'd, and we became the Scorn of all Nations about us, contemned even by that State we had created, who insulted us at Sea, seiz'd *Amboyna*, *Poleroon*, *Seran*, and other Places in the *East-Indies*, by which they ingross'd that most profitable Trade of Spices; fish'd upon our Coasts without paying the customary Tribute, and at the same Time prevail'd with the King to deliver up the Cautionary Towns of *Brill*, *Ramekins*, and *Flushing*, for a very small Consideration, tho' there were near
six

six Millions Arrears. He squandred the publick Treasure, discountenanc'd all the great Men who were rais'd in the glorious Reign of his Predecessor, cut off Sir *Walter Raleigh's* Head, advanced Favourites of his own, Men of no Merit, to the highest Preferment; and to maintain their Profuseness, he granted them Monopolies, infinite Projects, prostituted Honours for Money, rais'd Benevolences and Loans without Authority of Parliament. And when these Grievances were complain'd of there, he committed many of the principal Members without Bail or Mainprise, as he did afterwards for presuming to address him against the *Spanish Match*. He pardon'd the Earl of *Somerset* and his Wife for Sir *Thomas Overbury's* Murder, after he had imprecated all the Curses of Heaven upon himself and his Posterity; and it was generally thought, because the Earl was accessary to the poisoning Prince *Henry*. He permitted his Son-in-law to be ejected out of his Principalities, and the Protestant Interest to be run down in *Germany* and *France*, while he was bubbled nine Years together with the Hopes of the *Spanish Match*, and a great Fortune. Afterwards he made a dishonourable Treaty of Marriage with *France*, giving the Papists Liberty of Conscience: And indeed, as he often declared, he was no otherwise an Enemy to Popery, than for their deposing of Kings, and King-killing Doctrine. In *Ireland* he gave them all the Incouragement he durst; which Policy has been followed by all his Successors since to this present Reign, and has serv'd them to two Purposes: One is, by this they have had a Pretence to keep up Standing Armies there to awe the Natives; and the other, that they might
make

make Use of the Natives against their *English* Subjects. In this Reign that ridiculous Doctrine of Kings being *Jure Divino* was coin'd, never before heard of even in the Eastern Tyrannies. The other Parts of his Government had such a Mixture of *Scharamuchi* and *Harlequin*, that they ought not to be spoken of seriously, as Proclamations upon every Trifle, some against talking of News; Letters to the Parliament, telling them he was an old and wise King; that State Affairs were above their Reach, and therefore they must not meddle with them, and such like Trumpery. But our Happiness was, that this Prince was a great Coward, and hated the Sight of a Soldier; so that he could not do much against us by open Force. At last he died, (as many have believed) by Poison, to make Room for his Son *Charles I.*

This King was a great Bigot, which made him the Darling of the Clergy; but having no great Reach of his own, and being govern'd by the Priests, (who have been always unfortunate when they have meddled with Politicks) with a true Ecclesiastick Fury he drove on to the Destruction of all the Liberties of *England*. This King's whole Reign was one continued Act against the Laws. He dissolv'd his first Parliament for presuming to enquire into his Father's Death, tho' he lost a great Sum of Money by it; which they had voted him: He entred at the same Time into a War with *France* and *Spain*, upon the private Piques of *Buckingham*, who managed them to the eternal Dishonour and Reproach of the *English* Nation; witness the ridiculous Enterprizes upon *Cadiz*, and the Isle of *Rhee*. He deliver'd *Pennington's* Fleet into the
French's

French Hands, betray'd the poor *Rochellers*, and suffered the Protestant Interest in *France* to be quite extirpated. He rais'd Loans, Excises, Coat and Conduct-money, Tonnage, and Poundage, Knighthood, and Ship-money, without Authority of Parliament; impos'd new Oaths on the Subjects, to discover the Value of their Estates; imprisoned great Numbers of the most considerable Gentry and Merchants for not paying his arbitrary Taxes; some he sent beyond Sea, and the poorer Sort he prest for Soldiers. He kept Soldiers upon free Quarter, and executed Martial Law upon them. He granted Monopolies without Number, and broke the Bounds of the Forests. He erected arbitrary Courts, and enlarg'd others, as the High Commission-Court, the Star-Chamber, Court of Honour, Court of Requests, &c. and unspeakable Oppressions were committed in them, even to Men of the first Quality. He commanded the Earl of *Bristol* and Bishop of *Lincoln* not to come to Parliament; committed and prosecuted a great many of the most eminent Members of the House of Commons for what they did there, some for no Cause at all, and would not let them have the Benefit of *Habeas Corpus*; suspended and confin'd Archbishop *Abbot*, because he would not license a Sermon that asserted despotic Power, whatever other Cause was pretended. He suspended the Bishop of *Glocester*, for refusing to swear never to consent to alter the Government of the Church; supported all his arbitrary Ministers against the Parliament, telling them he wondred at the foolish Impudence of any one to think he would part with the meanest of his Servants upon their account: And indeed in his

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Speeches,

Speeches, or rather Menaces, he treated them like his Footmen, calling them undutiful, seditious, and Vipers. He brought unheard of Innovations into the Church; preferred Men of arbitrary Principles, and inclinable to Popery, especially those Firebrands, *Laud*, *Montague*, and *Manwaring*, one of whom had been complain'd of in Parliament, another impeach'd for advancing Popery, and the third condemn'd in the House of Lords. He dispensed with the Laws against Papists, and both encourag'd and prefer'd them. He called no Parliament for twelve Years together, and in that Time govern'd as arbitrary as the Grand Seignior. He abetted the *Irish* Massacre, as appears by their producing a Commission under the Great Seal of *Scotland*, by the Letter of *Charles II.* in favour of the Marquis of *Antrim*, by his stopping the Succours that the Parliament sent to reduce *Ireland* six Months under the Walls of *Chester*, by his entring into a Treaty with the Rebels after he had ingaged his Faith to the Parliament to the contrary, and bringing over many thousands of them to fight against his People. It is endless to enumerate all the Oppressions of his Reign; but having no Army to support him, his Tyranny was precarious, and at last his Ruin. Tho' he extorted great Sums from the People, yet it was with so much Difficulty, that it did him little good. Besides, he spent so much in foolish Wars and Expeditions, that he was always behind-hand; yet he often attempted to raise an Army.

Upon Pretence of the *Spanish* and *French* War he rais'd many thousand Men, who liv'd upon free Quarter, and rob'd and destroy'd wherever they came. But being unsuccessful in his Wars abroad,

abroad, and prest by the Clamours of the People at home, he was forc'd to disband them. In 1627. he sent over 30000 *l.* to *Holland*, to raise 3000 *German* Horse, to force his arbitrary Taxes; but this Matter taking wind, and being examin'd by the Parliament, Orders were sent to countermand them. In the 15th Year of his Reign he gave a Commission to *Strafford* to raise 8000 *Irish* to be brought into *England*: But before they could get hither, the *Scots* were in Arms for the like Oppressions, and marched into *Northumberland*, which forcing him to call a Parliament, prevented that Design, and so that Army was disbanded. Soon after he rais'd an Army in *England* to oppose the *Scots*, and tamper'd with them to march to *London*, and dissolve the Parliament: But this Army being compos'd for the most Part of the Militia, and the Matter being communicated to the House, who immediately fell on the Officers that were Members, as *Asburnham*, *Wilmot*, *Pollard*, &c. the Design came to nothing. After this there was a Pacification between the King and the *Scots*; and in Pursuance of it both Armies were disbanded. Then he went to *Scotland*, and endeavour'd to prevail with them to invade *England*; but that not doing, he sent a Message to the Parliament, desiring their Concurrence in the raising 3000 *Irish* to be lent to the King of *Spain*; to which the Parliament refused to consent, believing he would make another Use of them. When he came back to *London*, he pick'd out 3 or 400 dissolute Fellows out of Taverns, gaming and Brothel-houses, kept a Table for them; and with this goodly Guard all arm'd, he entred the House of Commons, sat down in the Speaker's

Chair, demanding the Delivery of Five Members: But the Citizens coming down by Land and Water, with Musquets upon their Shoulders to defend the Parliament, he attempted no further. This so inrag'd the House, that they chose a Guard to defend themselves against future Insults, and the King soon after left *London*. Some Time before this began the *Irish* Rebellion, where the *Irish* pretended the King's Authority, and shew'd the Great Seal to justify themselves; which, whether true or false, raised such a Jealousy in the People, that he was forced to consent to leave the Management of that War to the Parliament; yet he afterwards sent a Message to them, telling them he would go to *Ireland* in Person; and acquainted them, that he had issued out Commissions for raising 2000 Foot, and 200 Horse in *Cheshire*, for his Guard, which they protested against, and prevented it. By this we may see what Force was thought sufficient in his Reign to enslave the Nation, and the frequent Attempts to get it.

Then the Civil Wars broke out between him and his People, in which many bloody Battels were fought; two of the most considerable were those of *Newbury* and *Nasby*, both won by new Soldiers, the first by the *London* Militia, and the latter by an unexperienc'd Army, which the King used to call in Derision the *New Model*. And some Years after, the Battel of *Worcester* was in a great Measure won by the Country Militia, for which *Cromwel* discharged them with Anger and Contempt, as knowing them Instruments unfit to promote his Tyrannical Designs. At last by the Fate of the War the King became a Prisoner, and the Parliament treated with him while

while in that Condition, and at the same Time voted that some Part of the Army should be disbanded, and others sent to *Ireland* to reduce that Kingdom; upon which the Army chose Agitators among themselves, who presented a Petition to both Houses, that they would proceed to settle the Affairs of the Kingdom, and declare that no Part of the Army should be disbanded till that was done. But finding their Petition reſented, they ſent and ſeiz'd the King's Perſon from the Parliament's Commiſſioners, drew up a Charge of High Treason, againſt eleven principal Members, for endeavouring to diſband the Army, entred into a private Treaty with the King; but he not complying with their Demands they ſeized *London*; and notwithstanding the Parliament had voted the King's Conceſſions a Ground for a future Settlement, they reſolved to put him to Death, and in order thereto purged the Houſe, as they called it, that is, placed Guards upon them, and excluded all Members that were for agreeing with the King; and then they cut off his Head.

After this they let the Parliament govern for five Years, who made their Name famous thro' the whole Earth, conquered their Enemies in *England*, *Scotland*, and *Ireland*; reduced the Kingdom of *Portugal* to their own Terms; recovered our Reputation at Sea; overcame the *Dutch* in ſeveral famous Battels; ſecured our Trade, and managed the publick Expences with ſo much Frugality, that no Eſtates were gained by private Men upon the publick Miſeries; and at laſt were paſſing an Act for their own Diſſolution, and ſettling the Nation in a free and impartial Commonwealth; of which the Army being

ing afraid, thought it necessary to dissolve them, and accordingly *Cromwel* next Day called two Files of Musqueteers into the House, and pulled the Speaker out of the Chair, behaving himself like a Madman, vilifying the Members, and calling one a Whoremaster, another a Drunkard, bidding the Soldiers take away that Fools Bauble the Mace; and so good Night to the Parliament.

When they had done this Act of Violence, the Council of Officers set up a new Form of Government, and chose a certain Number of Persons out of every County and City of *England*, *Scotland*, and *Ireland*: And these they invested with the Supreme Power, but soon after expelled them, and then *Cromwel* set up himself, and framed a new Instrument of Government, by a Protector and a House of Commons, in Pursuance of which he called a Parliament. But they not answering his Expectations, he excluded all that would not subscribe his Instrument; and those that remained, not proving for his Purpose neither, he dissolved them with a great deal of opprobrious Language. He then divided *England* into several Districts or Divisions, and placed Major Generals or Intendants over them, who governed like so many Bashaws, decimating the Cavaliers, and raising Taxes at their Pleasure. Then forsooth he had a Mind to make himself King, and called another Parliament to that Purpose, after his usual Manner secluding such Members as he did not like. To this Assembly he offered another Instrument of Government, which was by a Representative of the People; a Second House composed of Seventy Members in the Nature of a House of Lords, and a single Person;

Person ; and let a Blank for what Name he should be called, which this worthy Assembly filled up with that of King, addressed to *Cromwel* that he would be pleas'd to accept it, and gave him Power to nominate the Members of the other House. This the great Officers of the Army resented, for it destroyed all their Hopes of being Tyrants in their Turn, and therefore adressed the Parliament against the Power and Government of a King, which made *Cromwel* decline that Title, and content himself with a greater Power under the Name of Protector. Afterwards he nam'd the other House, as it was called, for the most Part out of the Officers of the Army ; but even this Parliament not pleasing him, he dissolved them in a Fury, and governed the Nation without any Parliament at all till he died.

After his Death the Army set up his Son *Richard*, who called a new Parliament ; but their Proceedings being not agreeable to the Humuor of the Soldiery, they forced the Protector to dissolve them ; then they deposed him, and took the Power into their own Hands ; but being unable to weild it, they restored the Commonwealth, and soon after expelled them again, because they would not settle the Military Sword independent of the Civil ; then they governed the Nation by a Council of War at *Wallingford* House, and chose a Committee of Safety for the executive Part of the Government ; but that Whim lasted but a little Time before they chose Conservators of Liberty ; and that not doing neither, they agreed that every Regiment should choose two Representatives, and this worthy Council should settle the Nation ;
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when they met, sometimes they were for calling a new Parliament, sometimes for restoring the old, which was at last done. By this Means all Things fell into Confusion, which gave *Monk* an Opportunity of marching into *England*, where he acted his Part so dexterously, that he restored the King with Part of that Army which had cut off his Father's Head.

This is a true and lively Example of a Government with an Army ; an Army that was raised in the Cause, and for the Sake of Liberty ; composed for the most Part of Men of Religion and Sobriety. If this Army could commit such Violences upon a Parliament always successful, that had acquired so much Reputation both at home and abroad, at a Time when the whole People were trained in Arms, and the Pulse of the Nation beat high for Liberty ; what are we to expect if in a future Age an ambitious Prince should arise with a dissolute and debauched Army, a flattering Clergy, a prostitute Ministry, a Bankrupt House of L---ds, a Pensioner House of C-----ns, and a slavish and corrupted Nation?

By this Means came in *Charles II.* a luxurious effeminate Prince, a deep Dissembler, and if not a *Papist* himself, yet a great Favourer of them : But the People had suffered so much from the Army, that he was received with the utmost Joy and Transport. The Parliament in the Honeymoon passed what Laws he pleased, gave a vast Revenue for Life, being three Times as much as any of his Predecessors ever enjoyed, and several Millions besides to be spent in his Pleasures. This made him conceive vaster Hopes of Arbitrary Power than any that went
before

before him; and in order to it he debauched and enervated the whole Kingdom; his Court was a Scene of Adulteries, Drunkenness, and Irreligion, appearing more like Stews, or the Feasts of *Bacchus*; than the Family of a chief Magistrate: And in a little Time the Contagion spread thro' the whole Nation, that it was out of the Fashion not to be lewd, and scandalous not to be a public Enemy, which has been the Occasion of all the Miseries that have since happened, and I am afraid will not be extinguished but by our Ruin. He was no sooner warm in his Seat, but he rejected an advantageous Treaty of Commerce which *Oliver* made with *France*, as done by an Usurper; suffered the *French* to lay Impositions upon all our Goods, which amounted to a Prohibition, insomuch that they got a Million a Year from us in the Overballance of Trade. He sold that important Fortrefs of *Dunkirk*, let the *French* seize *St. Christophers* and other Places in *North America*.

He began a foolish and unjust War with the *Dutch*; and the Parliament gave him vast Sums to maintain it, yet he spent so much upon his Vices, that they got great Advantages of us, and burnt our Fleet at *Chatham*. At last he made as dishonourable a Peace with them, as he had done a War; a perpetual Reproach to our Country, that our Reputation at Sea should be sunk to so low an Ebb as to be baffled by that Nation, who but a few Years before had sent a blank Paper to the Parliament, to prescribe to them what Laws they pleased. During this War the City of *London* was fired, not without Suspicions that the Fire Balls were prepared at *Whitehall*. Soon after

this he entered into the Triple Alliance to oppose the growing Greatness of *France*, and received a great Sum from the Parliament to maintain it, which he made Use of to break the same League; sent Mr. *Coventry* to *Sweden* to dissolve it; and entered into a strict Alliance with *France*, which was sealed with his Sister's Blood. In Conjunction with them he made a new War upon *Holland*, to extirpate Liberty and the Protestant Religion; but knowing the Parliament were averse to the War, and would not support him in it, he attempted before any War declared to seize their *Smyrna* Fleet, shut up the Exchequer, and became so mean as to be a Pensioner to *France*, from whence his Predecessors with Swords in their Hands had so often exacted Tribute, He not only suffered, but assisted them to arrive at that Pitch of Greatness, which all *Europe* since hath sufficiently felt and lamented. He sent over ten Thousand Men to assist in subduing *Flanders* and *Germany*, by whose Help they did several considerable Actions. He sent them Timber, Seamen, Ship Carpenters, and Models, contrary to the Policy of all Nations; which rais'd their Naval Force to a Degree almost equal to our own; and for their Exercise, he suffered them to take Multitudes of *English* Ships by their Privateers, without so much as demanding Satisfaction.

During this War he issued out a Declaration suspending the Penal Laws, which appears to be designed in Favour of the *Papists*; by his directing a Bill afterwards to be stolen away out of the House of Lords, for indulging Protestant Dissenters, whom he persecuted violently most of his Reign, while he both countenanced and
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preferred Papists, broke the Act of Settlement in *Ireland*, restored them to their Estates, issued forth a Proclamation giving the Papists Liberty to inhabit in Corporations, and married the Duke of *York* not only to a Papist, but one in the *French* Interest, notwithstanding the repeated Addresses of the Parliament to the contrary. It was in this Reign that that cursed and detestable Policy was much improved of bribing Parliaments, by distributing all the great Employments in *England* among them, and supplying the Want of Places with Grants of Lands and Money. No Man could be preferred to any Employment in Church or State, till he had declared himself an open Enemy to our Constitution, by asserting despotick Power under that nonsensical Phrase of *Passive Obedience*, which was more preach'd up than all the Laws of God and Man. The Hellish Popish Plot was stified, proved since too true by fatal Experience; and in the Room of it Protestant ones were forged, and Men trapan'd into others, as the Meal-Tub, *Fitz-Harris's*, the *Rye-House*, *Newmarket*, and *Black-Heath* Plots; and by these Pretences, and the Help of pack'd Judges and Juries, they butcher'd some of the best Men in *England*, set immoderate Fines upon others, gave probable Suspicion of cutting the Lord *Effex's* Throat; and to finish our Destruction, they took away the Charters as fast as they were able, of all the Corporations in *England*, that would not choose the Members prescribed them.

But he durst not have dream'd of all these Violations if he had not had an Army to justify them. He had Thoughts at first of keeping up
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the Parliament Army, which was several Times in Debate. But Chancellor *Hyde* prevailed upon him by this Argument, that they were a Body of Men that had cut off his Father's Head; that they had set up and pulled down ten several Sorts of Government; and that it might be his own Turn next. So that his Fears prevailing over his Ambition, he consented to disband them; but soon found how vain and abortive a Thing arbitrary Power would prove without an Army. He therefore tryed all Ways to get one; and first he attempted it in *Scotland*, and by Means of the Duke of *Lauderdale*, got an Act passed there, whereby the Kingdom of *Scotland* was obliged to raise 20000 Foot and 2000 Horse at his Majesty's Call, to march into any Part of his Dominions; and this Law is in being at this Day: Much about the same Time he raised Guards in *England*, (a Thing unheard of before in our *English* Constitution) and by Degrees increas'd them, till they became a formidable Army; for first they were but very few, but by adding insensibly more Men to a Troop or Company, and then more Troops or Companies to a Regiment, before the second *Dutch* War he had multiplied them to near 5000 Men. He then began that War in Conjunction with *France*, and the Parliament gave him two Millions and a Half to maintain it, with Part of which Money he raised about 12000 Men, which were called the *Black-Heath* Army (appointing Marshal *Shomberg* to be their General, and *Fitz Gerald* an *Irish* Papist their Lieutenant-General) and pretended he rais'd them to attack *Holland*; but instead of using them to that Purpose, he kept them encamp'd

camp'd upon *Black-Heath*, hovering over the City of *London*, which put both the Parliament and City in such Confusion, that the King was forced at last to disband them. But there were several Accidents contributed to it: First the ill Success he had in the War with the *Dutch*, such Gallantries being not to be attempted but in the highest Raptures of Fortune; Next, the never to be forgotten Generosity of that great Man General *Shomberg*, whose mighty Genius scorn'd so ignoble an Action as to put Chains upon a free People; and at last of all, the Army themselves mutiny'd for Want of Pay, which added to the ill Humours that were then in the Nation, made the King willing to disband them. But at the same Time, contrary to the Articles of Peace with the *Dutch*, he continued 10000 Men in the *French* Service, for the most Part under Popish Officers, to be season'd there in slavish Principles, that they might be ready to execute any Commands when they were sent for over. The Parliament never met, but they address'd the King to recal these Forces out of *France*, and disband them; and several Times prepared Bills to that Purpose, which the King always prevented by a Prorogation; but at last was prevail'd upon to issue forth a Proclamation to recal them, yet at the same Time supply'd them with Recruits, encourag'd some to go voluntarily into that Service, and press'd, imprison'd, and carried over others by main Force; besides, he only disbanded the new rais'd Regiments, and not all of them neither, for he kept up in *England* five Thousand eight Hundred and ninety private Men, besides Officers, which was his Establishment in 1673.

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The King having two great Designs to carry on together, *viz.* Popery and Arbitrary Power, thought this Force not enough to do his Business effectually, and therefore cast about how to get a new Army, and took the most plausible Way, which was pretending to enter into a War with *France*; and to that Purpose sent Mr. *Thyn* to *Holland*, who made a strict League with the States; and immediately upon it the King call'd the Parliament, who gave 1200000 Pounds to enter into an actual War with *France*, with which Money he rais'd an Army of between twenty and thirty thousand Men within less than forty Days, and sent Part of them to *Flanders*. At the same Time he continued his Forces in *France*, and took a Sum of Money from that King to assist him in making a private Peace with *Holland*: So that instead of a War with *France*, the Parliament had given a great Sum to raise an Army to enslave themselves. But it happened about this Time that the Popish Plot broke out, which put the Nation into such a Ferment, that there was no stemming the Tide; so that he was forc'd to call the Parliament, which met the 23d of *October* 78, who immediately fell upon the Popish Plot and the Land Army. Besides, there were discover'd 57 Commissions granted to Papists to raise Men, counter-signed *J. Will — son*; for which, and saying the King might keep Guards if he could pay them, he was committed to the *Tower*. This so enrag'd the Parliament, that they immediately proceeded to the disbanding of the Army, and pass'd an Act that all Forces rais'd since the 29th of *September* 77 should be disbanded, and gave the King 693388 Pounds to pay off their Arrears, which

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he made Use of to keep them up, and dissolv'd the Parliament; but soon after call'd another, which pursu'd the same Counsels, and pass'd a second Act to disband the Army, gave a new Sum for doing it, directed it to be paid into the Chamber of *London*, appointed Commissioners of their own; and pass'd a Vote, *That the Continuance of any Standing Forces in this Nation other than the Militia, was illegal; and a great Grievance and Vexation to the People*; so that Army was disbanded. Besides this, they complain'd of the Forces that were in *France*, and address'd the King again to recal them, which had some Effect; for he sent over no more Recruits, but suffer'd them to wear out by Degrees. The Establishment upon the Dissolution of this Army, which was in the Year 1679-80 were 5650 private Soldiers; besides Officers. From this Time he never agreed with his People, but dissolved three Parliaments following for enquiring into the Popish Plot, and in the 3 last Years of his Reign call'd none at all. And to crown the Work, *Tangier* is demolish'd, and the Garrison brought over, and plac'd in the most considerable Ports in *England*, which made the Establishment in 83-4 8482 private Men, besides Officers. 'Tis observable in this King's Reign, that there was not one Sessions but his Guards were attack'd, and never could get the least Countenance from Parliament; but to be even with them, the Court as much discountenanc'd the Militia, and never would suffer it to be made useful. Thus we see the King husbanded a few Guards so well, that in a small Number of Years they grew to a formidable Army, notwithstanding all the Endeavours of the Parliament

liament to the contrary ; so difficult it is to prevent the growing of an Evil, that does not receive a Check in the Beginning.

He increas'd the Establishment in *Ireland* to 7700 Men, Officers included ; whereas they never exceeded in any former Reign 2000, when there was more Occasion for them : the *Irish* not long before having been entirely reduced by *Cromwel*, and could never have held up their Heads again without his Countenance. But the Truth of it was, his Army was to support the *Irish*, and the Fear of the *Irish* was to support his Army.

Towards the latter End of this King's Reign, the Nation had so entirely lost all Sense of Liberty, that they grew fond of their Chains ; and if his Brother would have suffer'd him to have liv'd longer, or had follow'd his Example, by this Time we had been as great Slaves as in *France*. But it was God's Mercy to us that he was made in another Mould, Imperious, Obstinate, and a Bigot, push'd on by the Counsels of *France* and *Rome*, and the Violence of his own Nature ; so that he quickly run himself out of Breath. As soon as he came to the Crown, he seiz'd the Customs and Excise without Authority of Parliament: He pick'd out the Scum and Scandals of the Law to make Judges upon the Bench ; and turn'd out all that would not sacrifice their Oaths to his Ambition, by which he discharg'd the Lords out of the *Tower*, inflicted those barbarous Punishments on Dr. *Oats*, Mr. *Johnson*, &c. butcher'd many Hundreds of Men in the *West*, after they had been trapan'd into a Confession by Promise of Pardon, murder'd *Cornish*, got the dispensing Power to be declared in *Westminster-Hall*, turn'd the Fellows of *Magda-*
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en College out of their Freeholds, to make way or a Seminary of Priests, and hang'd Soldiers or running away from their Colours. He erected the Ecclesiastical Commission, suspended the Bishop of *London*, because he would not inflict the same Punishment upon Dr. *Sharp*, for preaching against Popery. He closetted the Nobility and Gentry, turn'd all out of Employment that would not promise to repeal the Test, put in Popish Privy-Counsellors, Judges, Deputy-Lieutenants, and Justices of Peace; and to get all this confirm'd by the Shew of Parliament, he prosecuted the Work his Brother had begun in taking away Charters, and new modell'd the Corporations by a Sort of Vermin call'd Regulators. He receiv'd a Nuncio from *Rome*, and sent an Ambassador thither. He erected a Popish Seminary at the *Savoy* to pervert Youth, suffer'd the Priests to go about in their Habits, made *Tyrconnel* Lord Lieutenant of *Ireland*, turn'd all the Protestants out of the Army, and most of the Civil Employments there, and made *Fitton* (a Papist, and one detected for Perjury) Chancellor of that Kingdom. He issued out a Proclamation in *Scotland*, wherein he asserted his absolute Power, which all his Subjects were to obey without Reserve; a Prerogative, I think, never claim'd by the Great *Turk*, or the *Mogul*. He issued out a Declaration for Liberty of Conscience, order'd it to be read in all Churches, and imprison'd and try'd the seven Bishops because they humbly offer'd their Reasons in a Petition against it: And to consummate all, that we might have no Hopes of retrieving our Misfortunes, he impos'd a counterfeit Prince of *Wales* upon the Nation.

Soon after he came to the Crown, the Duke of *Monmouth* landed, and in a few Weeks got together six or seven thousand Men: But they having neither Arms or Provisions, were easily defeated by not many more than 2000 of the King's Troops. Which leaves a sad Prospect of the Consequence of a Standing Army: For here was a Prince, the Darling of the common People, fighting against a bigotted Papist that was hated and abhor'd by them, and yet defeated by so small a Number of Men, and many of them too his Friends; such is the Force of Authority. King *James* took Occasion from hence to increase his Army to between fifteen and sixteen thousand Men, and then unmask'd himself, call'd his Parliament, and in a haughty Speech told them, He had increas'd his Army, put in Officers not qualified by the Test, and that he would not part with them. He ask'd a Supply, and let them know he expected their Compliance. This was very unexpected to those loyal Gentlemen, who had given him such a vast Revenue for Life, who refus'd to take any Security but his Majesty's never failing Word for the Protestant Religion, and indeed had done for him whatever he ask'd; which yet was not very extraordinary, since he had the choosing of most of them himself. But even this Parliament turn'd short upon an Army: Which puts me in Mind of a Saying of *Machiavel*, viz. *That it is as hard a Matter for a Man to be perfectly bad as perfectly good*; tho' if he had liv'd at this Time, I believe he had changed his Opinion. The Court labour'd the Matter very much; and to shew that good Wits jump, they told us that *France* was grown formidable, that the *Dutch* Forces were much increas'd

creas'd, that we must be strong in Proportion for the Preservation of our selves and *Flanders*, and that there was no Dependence upon the Militia. But this shallow Rhetoric would not pass upon them. They answer'd, that we had defended our selves for above a thousand Years without an Army; that a King's truest Strength is the Love of his People; that they would make the Militia useful, and order'd a Bill to be brought in to that Purpose. But all this serv'd only to fulfil their Iniquity; for they had done their own Business before, and now he would keep an Army up in spite of them; so he prorogu'd them, and call'd no other Parliament during his Reign; but to frighten the City of *London*, kept his Army encamp'd at *Hounslow* Heath when the Season would permit, which put not only them but the whole Nation into the utmost Terror and Confusion. Towards the latter End of his Reign he had increas'd his Army in *England* to above twenty thousand Men, and in *Ireland* to eight thousand seven hundred and odd.

This King committed two fatal Errors in his Politicks. The first was his falling out with his old Chronies the Priests, who brought him to the Crown in spite of his Religion, and would have supported him in arbitrary Government to the utmost; nay, Popery (especially the worst Part of it, *viz.* the Domination of the Church) was not so formidable a Thing to them, but with a little Cookery it might have been rendred palatable. But he had Priests of another Sort that were to rise upon their Ruins; and he thought to play an easier Game by caressing the Dissenters, employing them, and giving them Liberty of Conscience: Which Kindness look'd

so preposterous, that the wise and sober Men among them could never heartily believe it, and when the Prince of *Orange* landed, turn'd against him.

His second Error was the disobliging his own Army, by bringing over Regiments from *Ireland*, and ordering every Company to take in so many *Irish* Papists; by which they plainly saw he was reforming his Army, and would cashier them all as fast as he could get Papists to supply their Room. So that he violated the Rights of the People, fell out with the Church of *England*, made uncertain Friends of the Dissenters, and disobliged his own Army; by which Means they all united against him, and invited the Prince of *Orange* to assist them: Which Invitation he accepted, and landed at *Torbay* the 5th of *November* 1688: publishing a Declaration, which set forth all the Oppressions of the last Reign (but the keeping up a Standing Army) declared for a free Parliament, in which Things were to be settled that there should be no Danger of falling again into Slavery, and promis'd to send back all his Foreign Forces as soon as this was done.

When the News of his Landing was spread thro' *England*, he was welcom'd by the universal Acclamations of the People. He had the Hands, the Hearts, and the Prayers of all honest Men in the Nation: Every one thought the long wish'd for Time of their Deliverance was come. King *James* was deserted by his own Family, his Court, and his Army. The Ground he stood upon moulder'd under him; so that he sent his Queen and Foundling to *France* before him, and himself followed soon after. When the Prince came to *London*, he disbanded most of those Regiments

giments that were rais'd from the Time he landed; and King *James's* Army that were disbanded by *Feverſham*, were order'd to repair all again to their Colours: Which was thought by some a false Step, believing it would have been more our Interest to have kept those Regiments, which came in upon the Principle on which this Revolution is founded, than Forces that were rais'd in Violation of the Laws, and to support a tyrannical Government: Besides, the miserable Condition of *Ireland* requir'd our speedy Assistance, and these Men might have been trusted to do that Work.

Within a few Days after he came to Town, he summon'd the Lords, and not long after the Members of the three last Parliaments of King *Charles II.* and was address'd to by both Houses to take upon him the Administration of the Government, to take into his particular Care the then present Condition of *Ireland*, and to issue forth circulatory Letters for the choosing a Convention of Estates. All this Time *Ireland* lay bleeding, and *Tyrconnel* was raising an Army, disarming the Protestants, and dispossessing them of all the Places they held in *Leinster*, *Munster*, and *Connaught*; which occasion'd frequent Applications here for Relief, tho' it was to send them but one or two Regiments; and if that could not be done, to send them Arms and Commissions, which in all Probability would have made the Reduction of that Kingdom very easy: Yet tho' the Prince's and King *James* his Army were both in *England*, no Relief was sent, by which Means the *Irish* got Possession of the whole Kingdom, but *Londonderry* and *Inniskilling*, the former of which Towns shut up its Gates the
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ninth of *December* last, declaring for the Prince of *Orange*, and address'd for immediate Relief, yet could neither get Arms or Ammunition till the 20th of *March*; and the Forces that were sent with *Cunningham* and *Richards*, arrived not there till the 15th of *April*, and immediately after deserted the Service, and came back again, bringing *Lundy* the Governor before appointed by his Majesty with them, and alledg'd for their Excuse, that it was impossible to defend the Town, But notwithstanding this Treachery, such was the Resolution of the Besieged, that they continued to defend themselves with the utmost Bravery, and sent again for Relief, which under *Kirk* came not to them till the 7th of *June*; nor were these poor Creatures actually reliev'd till the 30th of *July*, tho' there appears no Reason why he might not have done it when he first came into the Harbour, which was more than seven Weeks before. Thus we see the Resolution of these poor Men wearied out all their Disappointments.

When the Convention met, they resolv'd upon twenty eight Articles, as the Preliminaries upon which they would dispose the Crown; but this Design dwindled into a Declaration of our Rights, which was in thirteen Articles, and the most considerable, viz. *That the raising and keeping up a Standing Army in Times of Peace is contrary to Law*, had tag'd to it these Words, *without Authority of Parliament*; as if the Consent of the Parliament would not have made it legal without those Words, or that their Consent would make it less dangerous. This made the *Jacobites* say in those early Days, that some evil Counsellors design'd to play the same Game a-

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gain of a *Standing Army*, and attributed unjustly the Neglect of *Ireland* to the same Cause, because by that Omission it was made necessary to raise a greater Army to reduce it, with which the King acquainted the Parliament the 8th of *March*, when speaking of the deplorable Condition of *Ireland*, he declar'd he thought it not adviseable to attempt the reducing it with less than 20000 Horse and Foot. This was a bitter Pill to the Parliament, who thought they might have managed their Share of the War with *France* at Sea; but there was no Remedy; a greater Army must be rais'd, or *Ireland* lost; and to gild it, all the Courtiers usher'd in their Speeches with this Declaration, That they would be the first for disbanding them when the War was over; and this Declaration has been made as often as an Army has been debated since during the War, and I suppose punctually observ'd last Sessions. At last the Thing was consented to, and the King issu'd forth Commissions for the raising of Horse, Foot, and Dragoons. In this Army very few Gentlemen of Estates in *Ireland* could get Employments, tho' they were in a miserable Condition here, and made their utmost Application for them; it being a common Objection by some Colonels, that a Man had an Estate there, which in all Likelihood would have made him more vigorous in reducing the Kingdom. It was long after this Army was rais'd, before they could be ready to be transported; and even then it was commonly said that *Shomberg* found many Things out of Order; and when they were at last transported, which was about the Middle of *August*, they were not in a Condition to fight the Enemy, tho' lately baffled before

before *Londonderry*, especially their Carriages coming not to them till the 24th of *September*, when it was high Time to go into Winter Quarters: By this Means the *Irish* got Strength and Courage, and three Fourths of our Army perish'd at the Camp at *Dundalk*,

But tho' our Army could do nothing, yet the Militia of the Country, almost without Arms or Cloaths, performed Miracles, witness that memorable Siege of *Londonderry*, the Defeat of General *Mackarty*, who was entrench'd in a Bog with ten thousand regular Troops, and attack'd by fifteen hundred *Inniskilling* Men, defeated, himself made a Prisoner, and three thousand of his Men kill'd; and a great many other gallant Actions they perform'd, for which they were dismiss'd by *Kirk* with Scorn and Ignominy, and most of their Officers left to starve. Thus the War in *Ireland* was nurs'd up either thro' Chance, Inadvertency, or the Necessity of our Affairs (for I am unwilling to think it was Design) till at last it was grown so big, that nothing less than his Majesty's great Genius, and the usual Success that has always attended his Conduct, could have overcome it.

When the Parliament met that Winter, they fell upon the Examination of the *Irish* Affairs; and finding Commissary *Shales* was the Cause of a great Part of the Miscarriages, they address'd his Majesty that he would be pleas'd to acquaint the House who it was that advis'd the employing him, which his Majesty did not remember. They then address'd, that he would be pleas'd to order him to be taken into Custody, and it was done accordingly; upon which *Shales* sent a Letter to the Speaker, desiring he might be brought

brought over to *England*, where he would vindicate himself, and justify what he had done. Then the House addressed his Majesty again, that he might be brought over with all convenient Speed ; and the King was pleas'd to answer, that he had given such Orders already. Then the House referr'd the Matter to a private Committee ; but before any Report made, or *Shales* could be brought to *England*, the Parliament was prorogu'd, and after dissolv'd ; and soon after he fell sick and died.

The Neglect of *Ireland* this Year made it necessary to raise more Forces, and increase our Establishment, which afterwards upon Pretence of invading *France* was advanc'd to eighty seven Thousand six Hundred ninety eight Men. At last by our great Armies and Fleets, and the constant Expence of maintaining them, we are too hard for the Oeconomy, Skill, and Policy of *France* ; and notwithstanding all our Difficulties, brought them to Terms both safe and honourable.

It not being to the Purpose of this Discourse, I shall omit giving any Account of the Conduct of our Fleet during this War, how few Advantages we reap'd by it, and how many Opportunities we lost of destroying the *French*. Only thus much I will observe, that tho' a great Part of it may be attributed to the Negligence, Ignorance, or Treachery of inferior Officers, yet it could not so universally happen thro' the whole Course of the War, and unpunish'd too, notwithstanding the Clamours of the Merchants, and repeated Complaints in Parliament, unless the Cause had laid deeper : What that is, I shall not presume to enquire ; but I am sure
F there

there has been a very ill Argument drawn from it, viz. *That a Fleet is no Security to us.*

As soon as the Peace was made, his Majesty discharg'd a great Part of the foreign Forces; and an Advertisment was publish'd in the Gazette, that ten Regiments should be forthwith disbanded; and we are told, as soon as it was done, that more should follow their Example. But these Resolutions, it seems, were alter'd, and the modish Language was, that we must keep up a standing Army. Their Arguments were turn'd topsy turvy; for as during the War the People were prevail'd upon to keep up the Army in Hopes of a Peace; so now we must keep them up for Fear of a War. The Condition of *France*, which they had been decrying for many Years, was now magnify'd: We were told, that it was doubtful whether the *French* King would deliver up any of his Towns; that he was preparing a vast Fleet upon the Lord knows what Design; that it was impossible to make a Militia useful; that the Warlike King *Jemmy* had an Army of eighteen thousand *Irish* Heroes in *France*, who would be ready when call'd for; and that the King of *Spain* was dying. The Members of Parliament were discour'd with as they came to Town; 'twas whisper'd about, that the Whigs would be all turn'd out of Employments: A new Plot was said to be discover'd for murdering the King, and Searches were made at Midnight thro' the whole City to the Discovery of Plenty of Fornication, but no Traitors. The Placemongers consulted among themselves, and found by a wonderful Sympathy they were all of one Opinion; and if by any Means they could get

a few more to be of the same, the Day was their own; so they were positive of Success, and very sure they should carry it by above a hundred Voices.

The House had not sat a Week but this Matter came to be debated; and the Question in the Committee was, *Whether all Forces rais'd since the Year 80 should be disbanded?* which was carried in the Affirmative, the Court being not able to bring it to a Division; and the next Day when it was reported, they did not attempt to set aside the Vote, but to recommit it, upon Pretence it tied the King to the old Tory Regiments, (tho' by the Way, none of those Regiments have been since disbanded) and some said they thought the Forces in 80 too many. I can safely say, tho' I had frequent Discourse with many of them, yet I never heard any one of them at that Time pretend to be for a greater Force than this Vote left the King: But let what will be their Reasons, it was carried against them by a Majority of 37, the Affirmatives being 185, and the Negatives 148. I will not here take Notice of what some People have said, *viz. That of the 148 who were for recommitting the Vote, 116 had Places*, because I doubt the Fact; nor do I believe their Places would bias them.

This was a thorow Victory, and required great Skill and Address to retrieve. The Fears of *France* were again multiplied; 'twas said there was a private Article that King *James* was to leave *France*, which the *French* refused to perform; that *Boufflers* and the Earl of *Portland* had given one another the Lie; that some of the latter's Retinue had been kill'd; that the *French* Ambassador was stop'd, the King of *Spain* dead,

and Abundance more to this Purpose. The Club was set up at the R——, great Applications made, the Commission of the Excise was declared to be broke (by which nine Commissioner's Places were to be disposed of, and above forty Persons named for them) and many of the Country Gentlemen were gone home. Thus recruited, they were ready for a new Encounter; and since by the Rules of the House they could not set aside the former Vote directly, they would try to do it by a side Wind, which was by moving, that Directions might be given to the Committee of Ways and Means to consider of a Supply for Guards and Garrisons; but the other Side, to obviate this, offered these Words as an Amendment, *viz. According to the Vote of the 11th of December*. This Matter was much laboured, and the Gentlemen that were against the Army explain'd themselves, and declar'd they were not for obliging the King to the Regiments in 80, but that they insisted only on the Number, and he might choose what Regiments he pleas'd. By this Means they carried it, but not without great Opposition (tho' I presume from none of those Gentlemen who declared in all Places they were for recommitting the former Vote only for the Reasons before given) besides, they were forced to explain themselves out of a considerable Part of it, for they allowed the King the *Dutch* Regiments, and the *Tangeriners*, which in my Opinion could not be well understood by the former Vote, the Meaning of which seems to be, that the King should have all the Forces that *Charles II.* had in 80 in *England*, and these were not then here; the *Holland* Regiments being paid by the States,
and

and their Soldiers; and the others 500 Leagues off at *Tangier*. But all this Advantage would not satisfy the Army-Gentlemen: For in the Committee they endeavour'd again to set aside the Vote, by moving for a Sum of 500000 Pounds *per Annum* for Guards and Garisons, without naming any certain Number (which would have maintain'd above 20000) but this could not be carried; therefore they came to a Sort of Composition, to have but 10000, whereof a great Number were to be Horse and Dragoons; and the Sum given to maintain them was 350000 Pounds: But notwithstanding this they moved afterwards for 3000 Marines (alleging that these were not a Land-Force, but a Water-Force) which was carried.

Here I will beg Leave to observe one Thing, that nothing would satisfy the Courtiers at the Beginning of the Winter but to have the Forces establish'd by the Parliament, and upon other Terms they would not accept them; and in all Companies said, that any Minister that advis'd the King to keep them up otherwise, or any Officer that continued his Commission ought to be attainted of High Treason: About which I shall not differ with these Gentlemen, nor do I arraign them for altering their Opinion; for perhaps they may conceive that a Vote to give 350000 Pounds for Guards and Garisons, is a sufficient Authority against Law to quarter Soldiers in all Parts of *England*, as well out of Garisons, as in them, and as well at a Distance from the King's Person, as about it.

Thus what our Courts for above a thousand Years together had never Effrontery enough to ask; what the Pensioner Parliament could not think

think of without Astonishment; what King *James's* Parliament (that was almost chosen by himself) could not hear debated with Patience, we are likely to have the Honour of establishing in our own Age, even under a Deliverance.

Now we will examine how far they have complied with the Resolutions of the House of Commons. Having so far gained upon the first Vote by the Means before related, 'twas not easy to be imagined but they would nicely perform the rest, without any Art or Evasion: But instead of this, they reform'd a certain Number of Men out of every Troop and Company, and kept up all the Officers, who are the most essential and chargeable Part of an Army, the private Soldiers being to be rais'd again in a few Days whenever they please. This is such a disbanding as every Officer would have made in his Company for his private Advantage, and always did in *Charles II's* Time, and even in this Reign when they were not in Action: So that all the Effect of such a Reform is to hinder the Officers from false Musters, and save the Pay of a few common Soldiers.

But this would not satisfy the People, and therefore they disbanded some Regiments of Horse, Foot and Dragoons, and thought of that profound Expedient of sending a great many more to *Ireland*; as if our Grievance was not the Fear of being enslav'd by them, but lest they should spend their Money among us. I am sorry the Nation is grown so contemptible in these Gentlemens Opinions, as to think that they can remove our Fears of a Standing Army, by sending them threescore Miles off, from whence they may recal them upon a few Days Notice.

Nay

Nay an Army kept in *Ireland*, is more dangerous to us than at home: For here by perpetual Converse with their Relations and Acquaintance, some few of them perhaps may warp towards their Country; whereas in *Ireland* they are kept as it were in a Garison, where they are shut up from the Communication of their Countrymen, and may be nurs'd up in another Interest. This is so true, that 'tis a common Policy among arbitrary Princes often to shift their Soldiers Quarters, lest they should contract Friendship among the Natives, and by Degrees fall into their Interest.

It may be said perhaps, That the People of *Ireland* will pay them; which makes the Matter so much the worse, for they are less likely to have any Regard to their Country. Besides, if we consider the Lords Justices Speech to that Parliament, wherein they are let know that his Majesty *EXPECTS* that they will continue the Subsistence to the disbanded Officers, and support the present Establishment (which by the way is near three Times as great as *Charles II's*) and this without any other Ceremony or Qualification of Time (with which his Majesty was pleas'd to express himself to his *English* and *Scotch* Parliaments) we may be convinc'd that they are not in a Condition to dispute this Matter; especially at a Time when they apprehend Hardships will be put upon them in relation to their Trade: And therefore we may be sure they will gratify the Court to the utmost of their Power, in Hopes, if they can't prevent the passing a Law against them, to obtain a Connivance in the Execution. We may add; by this Means they will keep their Money in their own Country,
a great

a great Part whereof came formerly to *England*; and have an Opportunity of returning the Complement we design'd them last Year, if we don't prevent it by disbanding the Army there, as *Strafford's Army in Ireland* was formerly in the 15th of *Charles I.* and lately another in 78 by our *English Parliaments*.

I can't avoid taking Notice here, how different the modish Sentiments are in *Ireland* and *England*: For there the Language is, We must comply with the Court in keeping up the Army, or otherwise the Woollen Manufacture is gone; and here the Men in Fashion tell us, that an Army must be kept in *Ireland* to destroy the Woollen Manufacture, and execute the Laws we make against them; and in order to it the People of *Ireland* are to pay them.

This Project of sending Men to *Ireland* was so transparent, that they durst not rely upon it; and therefore they told us, that as fast as Money could be got, they would disband more Regiments. The People were in great Expectation when it would be done, and several Times it was taken Notice of in Parliament; and the Courtiers always assured them that nothing hindered it but the want of Money to pay them off. 'Twas confidently said in all publick Places, that eighteen Regiments more would be disbanded, and the Regiments were nam'd; and I have heard it with great Assurance affirm'd by the Agents and Officers themselves, that the King had sign'd it in Council. Thus the Session was worn out, till the House of Commons tir'd with Expectation, address'd his Majesty, *That he would be pleas'd to give Order that a List be laid before the House of the Army disbanded, and intended to be disbanded,*

disbanded, and of the Officers Names who are to have Half Pay; and his Majesty was pleased to answer, That he would comply with the Desires of the House as soon as conveniently he could: But the Parliament sitting not above a Month afterwards, his Majesty sent them no farther Answer.

At last the Parliament rose, and instead of disbanding they brought over a great many foreign Regiments, and sent them to *Ireland*, as well as three more *English* ones. But even all this would not bring their Army in *England* down to ten thousand Men; so that they made another Reform, and since have incorporated the Officers of the disbanded Regiments in *Ireland*, into the Standing Troops, by which Means they have got an Army of Officers: Whereas if these Gentlemen design their Army to defend us against a sudden Invasion, or to be in Readiness against the King of *Spain's* Death, in my poor Opinion they should have kept up the private Soldiers, and disbanded all the Officers, but such as are just necessary to exercise them; for Officers will be always ready to accept good Employments, whereas the private Soldiers will be very difficultly listed again in a new War, tho' we all know they are easily to be got together, when they are only to insult their Countrymen.

One good Effect of this Army has already appear'd; for I presume every Body has heard how prevailing an Argument it was in the late Elections, *That if we choose such a Man, we shall be free from Quarters*: And I wish this Argument does not every Day grow stronger. Nay, who knows but in another Reign the Corporations may be told that his Majesty *expects* they will choose the Officers of the Army, and the Parliament be told that he *expects* they will maintain them?

But to set this Matter in a full View, I will here put down the Establishment of King *Charles II.* in 88, which was the Foundation of the Vote of the 11th of *December*, as also his present Majesty's: and in this, as well as my other Computations, I do not pretend but I may be mistaken in many Particulars, tho' I have taken what Care I could not to be so; nor is it material to my Purpose, so the Variation from Truth is not considerable.

I shall also set down King *William's* Establishments as the Regiments were before the Reform, because all the Officers still remain, and a great Part of the private Soldiers, which I take to be in Effect full Regiments; the rest being to be rais'd again in a few Days, if they are design'd for home Service; but, as I said before, the hardest to be got if they are designed for *Spain* or *Flanders*. But herein if any Man differs from me, he may make his own Deductions.

The Establishment of Charles II. in England, in the Year Eighty.

<i>Horse and Dragoons in England.</i>	<i>Troop and Com- panies.</i>	<i>Com- mis. Offi- cers.</i>	<i>Non- Com- mis. Of- ficers.</i>	<i>Private Men.</i>	<i>Total Number</i>
Troops of Guards - -	3	48	15	600	660
The Royal Regiment of Horse - - -	8	34	40	1400	474
A Troop of Dragoons raised in July 1680.	1	4	8	40	52
Total Horse and Drag.	12	86	63	1040	1189

<i>Foot in England.</i>	<i>Troops and Companies</i>	<i>Com- mis. Offi- cers.</i>	<i>Non- Com- mis. Of- ficers.</i>	<i>Private Men.</i>	<i>Total Number</i>
Gentlemen Pensioners	1	6	0	40	46
Yeomen of the Guard	1	7	0	100	107
The first Regiment of Foot Guards	24	75	192	1440	1707
The Coldstream Reg.	12	39	96	720	855
The Duke of York's Reg.	12	39	96	630	765
The Holland Regiment	12	39	96	600	735
Independent Compan.	26	78	208	1260	1546
Total Foot in England.	88	283	688	4790	5761

King Charles II's Establishment in Ireland in the Year Eighty.

Troops of Horse	1	24	96	196	1080	1372
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<i>His Foot in Ireland.</i>					
Yeomen of the Guard	1	3	0	60	63
A Regiment of Guards	12	40	99	1120	1259
Single Companies	74	222	444	4440	5166
Total Foot in Ireland	87	265	543	5620	6428

I have not here put down the Garison of *Tangier*, which was about three thousand Men, because that Place is now lost, and consequently wants no Garison.

I will now set down his present Majesty's Establishment, and then compare them both together.

Horse and Dragoons upon the English Establishment.

Three Troops of Horse Guards	3	48	15	600	963
One Troop of Dutch Guards	1	15	5	200	220
	G 2				On 5

	Troops and Com- panies	Com- mis. Offi- cers.	Non- Com- mis. Of- ficers.	Private Men.	Total Number
One Troop of Horse					
Granadiers. - - -	1	11	20	180	211
Lord Oxford's Reg. -	9	40	45	531	616
Lord Portland's Horse					
Dutch Regiment - -	9	42	54	603	699
Lumley's Regiment -	9	40	45	531	616
Wood's - - - - -	6	28	36	354	412
Arran's - - - - -	6	28	36	354	412
Windham's - - - -	6	28	36	354	412
Schomberg's - - - -	6	28	36	354	412
Macclesfield's - - -	6	28	36	354	412
Raby's Dragoons - -	8	37	72	480	589
Flood's Dragoons - -	8	37	72	480	589
Lord Essex's Dragoons	8	37	72	480	589
Total and Dragoons in England - - - - -	86	447	580	5855	6876

Foot on the English Establishment.

Gentlemen Pensioners	1	6	0	40	46
Yoomen of the Guard	1	7	0	100	107
Lord Rumney's 4 Bat.	28	99	222	2240	2563
Lord Cutt's 2 Bat. - -	14	51	112	1120	1283
The blew. Guards, 2 Dutch Reg. 4 Bat.	26	96	208	2366	2670
Earl of Orkney's 2 Scotch Regiment - - - -	26	88	208	1560	1656
Selwin's - - - - -	13	44	104	780	928
Churchill's - - - -	13	44	104	780	928
Trelawny's - - - -	13	44	104	780	928
Earle's - - - - -	13	44	104	780	928
Seymour's - - - - -	13	44	104	780	928
Cult's - - - - -	13	44	104	780	928
Mordant's - - - - -	13	44	104	780	928
Sir David Collier's - -	13	44	104	780	928
Sir Charles Hero's Fusi- leers in Jersey - -	13	46	104	780	930
Collingwood's - - -	13	46	104	780	928
A Com. at Upnor Castle	1	2	6	50	58
Total Foot in England	227	793	1796	15276	17865
					Horse

Horse and Dragoons upon the <i>Irish</i> Establishment.	Troops and Companies	Com-mis. Officers.	Non-Com-mis. Officers.	Private Men	Total Number
<i>Luson's</i>	6	42	30	354	412
<i>Langston's</i>	6	42	30	354	412
<i>Lord Galloway's a F. R.</i>	9	113	45	531	689
<i>Ross's Dragoons</i>	8	37	72	480	589
<i>Ecklin's</i>	8	37	72	480	589
<i>Cunningham's</i>	8	37	72	480	589
<i>Merron's a French Reg.</i>	8	74	144	480	698
Total Horse and Dragoons in <i>Ireland</i>	53	338	465	3159	3962

Foot upon the *Irish* Establishment, with the disbanded Officers incorporated.

<i>Fairfax's</i>	13	66	104	780	950
<i>Collumbine's</i>	13	66	104	780	950
<i>Webb's</i>	13	66	104	780	950
<i>Grangill's</i>	13	66	104	780	950
<i>Brewer's</i>	13	66	104	780	950
<i>Jacob's</i>	13	66	104	780	950
<i>How's</i>	13	66	104	780	950
<i>Steward's</i>	13	66	104	780	950
<i>Hanmore's</i>	13	66	104	780	950
<i>Titcomb's</i>	13	66	104	780	950
<i>Stanley's</i>	13	66	104	780	950
<i>Bridge's</i>	13	66	104	780	950
<i>Fr. Hamilton's</i>	13	66	104	780	950
<i>Ingladsby's</i>	13	66	104	780	950
<i>Pijar's</i>	13	66	104	780	950
<i>Bella's</i>	13	66	104	780	950
<i>Gustavus Hamilton's</i>	13	66	104	780	950
<i>Tiffany's</i>	13	66	104	780	950
<i>Martson's a French Reg.</i>	13	83	104	780	967
<i>Lamellioncer's a F. Reg.</i>	13	83	104	780	967
<i>Belcastie's a Fr. Reg.</i>	13	83	104	780	967
<i>Hilt's Reg. in the West-Indies, which is not upon the <i>Irish</i> Establish.</i>	13	44	104	780	926
Total Foot in <i>Ireland</i>	286	1481	2288	17160	20929

I will now compare
both Establishments
together.

	<i>Troops and Com- panies</i>	<i>Com- mi. Offi- cers.</i>	<i>Non- Com- mi. Of- ficers.</i>	<i>Private Men.</i>	<i>Total Number</i>
<i>Charles II's. Horse in Eighty in England</i>	12	86	63	1040	1189
<i>His Foot in England</i>	88	283	688	4790	5761
<i>His H. and F. in Eng.</i>	100	369	751	5830	6950

His Establishment in Ireland.

<i>His Horse in Ireland</i>	24	97	196	1080	1372
<i>His Foot in Ireland</i>	87	265	543	5620	6428
<i>His H. and F. in Irel.</i>	111	361	739	6700	7800

All his Army in England and Ireland.

<i>His Horse in England and Ireland</i>	36	182	259	2120	2561
<i>His Foot in England and Ireland</i>	175	548	1231	10410	12189
<i>All his Army in Eng- land and Ireland</i>	211	730	1490	12530	14750

King William's Establishment.

<i>His Horse in England</i>	86	441	580	5855	6862
<i>His Foot in England</i>	227	793	1796	15276	17865
<i>All his Forces in Eng.</i>	313	1234	2376	21131	24741

His Establishment in Ireland.

<i>His Horse in Ireland</i>	53	338	465	3159	3962
<i>His Foot in Ireland</i>	286	1481	2288	17160	20929
<i>All his Forces in Irel.</i>	339	1819	2753	20319	24891

<i>All his Army in England and Ireland.</i>	<i>Troops and Companies.</i>	<i>Commission Officers.</i>	<i>Non-Commission Officers.</i>	<i>Private Men.</i>	<i>Total Number.</i>
His Horse and Dragoons in <i>Eng. & Irel.</i>	139	779	1045	9014	10838
His Foot in <i>Eng. & Ir.</i>	513	2274	4084	32436	38794
All his Army in <i>E. & I.</i>	652	3053	5129	41450	49632

So that his present Majesty in *England* and *Ireland* alone, has above three Times as many Troops and Companies as *Charles II.* had in the Year Eighty, almost five times as many Commission Officers, near four times as many Non-Commission Officers ; and when the Commanders shall have Orders to recruit their Companies, will have more than three Times the Number of common Soldiers, besides the disbanded Officers which are not incorporated into other Regiments ; and upon the Establishment they now stand, are as much Creatures to the Court, as if their Regiments were in Being.

His Majesty's Forces in Scotland, which in the Year Eighty consisted of 2806 Men.

The Troop of Guards	1	15	5	120	140
The R. Reg. of Drag.	8	37	72	320	429
<i>Jedborough's</i> Dragoons	6	27	54	240	321
The R. R. of F. Guards	16	51	128	912	1091
<i>Reco's</i> Fusileers	16	51	128	640	819
<i>Collier or Hamilton's</i>	16	51	128	640	819
<i>Maitland's</i>	16	51	128	640	819
In Garrisons	4	12	24	295	331
All his Forces in <i>Scot.</i>	83	295	667	3807	4769

These Forces are as they are now reduc'd and allow'd by the Parliament of *Scotland*, for Reasons best known to themselves ; which without Doubt must be very good ones, since 'tis commonly said, that ten Privy Counsellors of that Kingdom, who appear'd against the Army, are turn'd out of the Council ; which if true, I presume will be a sufficient Warning to our Gentlemen at home,

How

However, there is this Use in the *Scotch Army*, that if the Parliament of *England* shall be prevail'd on to think any Forces necessary, a lesser Number will be sufficient.

His Majesty's Forces in Holland.

	Troops and mis- Com- panies	Com- Off- cers.	Non- Com- mis. Of- ficers.	Private Men.	Total Number
<i>Lawder's</i>	13	44	104	780	928
<i>William Collins</i>	13	44	104	780	928
<i>Murray's</i>	13	44	104	780	928
<i>Ferguson's</i>	13	44	104	780	928
<i>Stranaver's</i>	13	44	144	780	928
	13	44	104	780	928
All the Forces in <i>Hol.</i>	78	264	624	4680	5568
So that his Majesty's whole Army con- sists of	813	3612	6420	49937	59969

Of these seven Thousand, eight Hundred, and seventy seven, are Foreigners, which is the first foreign Army that ever set Foot in *England* but as Enemies.

Since the Writing of this I am informed, That *Brudenall's* Regiment is in Being, and that *Eppinger's* Dragoons are in *English* Pay, which if true, will make the whole Army sixty odd thousand Men: But in this as well as many other Parts of the List I may be mistaken, for which I hope I shall be excused, when I acquaint the Reader that I was forced to pick it out from accidental Discourses with Officers, having

having apply'd to my Lord R-----'s Office without Success, tho' I made such Interest for it; as upon other Occasions would not have been refused.

If the Prince of *Orange* in his Declaration, instead of telling us that we should be settled upon such a Foundation that there should be no Danger of our falling again into Slavery, and that he would send back all his Forces as soon as that was done, had promis'd us, that after an eight Years War (which should leave us in Debt near twenty Millions) we should have a standing Army establish'd, a great many of which should be Foreigners, I believe few Men would have thought such a Revolution worth the Hazard of their Lives and Estates: But his mighty Soul was above such abject Thoughts as these; his Declaration was his own, these paltry Designs are our Undertakers, who would shelter their own Oppressions under his sacred Name.

I would willingly know whether the late King *James* could have inflav'd us but by an Army, and whether there is any Way of securing us from falling again into Slavery but by disbanding them. It was in that Sense I understood his Majesty's Declaration, and therefore did early take up Arms for him, as I shall be always ready to do. It was this alone which made his Assistance necessary to us, otherwise we had wanted none but the Hangman's.

I will venture to say, that if this Army does not make us Slaves, we are the only People upon Earth in such Circumstances that ever escap'd it with the fourth Part of their Number.

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It is a greater Force than *Alexander* conquer'd the East with, than *Cæsar* had in his Conquest of *Gaul*, or indeed the whole *Roman* Empire; double the Number that any of our Ancestors ever invaded *France* with, *Agésilas* the *Persians*, or *Huniades* and *Scanderbeg* the *Turkish* Empire; as many again as was in any Battel between the *Dutch* and *Spaniards* in forty Years War, or betwixt the King and Parliament in *England*; four times as many as the Prince of *Orange* landed with in *England*; and in short, as many as hath been on both Sides in nine Battles of ten that were ever fought in the World. If this Army does not enslave us, it is barely because we have a virtuous Prince that will not attempt it; and 'tis a most miserable Thing to have no other Security for our Liberty, than the Will of a Man, tho' the most just Man living; for that is not a free Government where there is a good Prince (for even the most arbitrary Governments have had sometimes a Relaxation of their Miseries) but where it is so constituted, that no one can be a Tyrant if he would. *Cicero* says, tho' a Master does not tyrannize, yet 'tis a lamentable Consideration that it is in his Power to do so; and therefore, such a Power is to be trusted to none, which if it does not find a Tyrant, commonly makes one; and if not him, to be sure a Successor.

If any one, during the Reign of *Charles II.* when those that were call'd *Whigs*, with a noble Spirit of Liberty, both in the Parliament House and in private Companies, oppos'd a few Guards as Badges of Tyranny, a Destruction to our Constitution, and the Foundations of a standing Army:

Army: I say, if any should have told them that a Deliverer should come and rescue them from the Oppressions under which they then laboured ; that *France* by a tedious and consumptive War should be reduc'd to half the Power it then had ; and even at that Time they should not only be passive, but use their utmost Interest, and distort their Reason to find out Arguments for keeping up so vast an Army, and make the Abuses of which they had been all their Lives complaining, Precedents to justify those Proceedings ; whoever would have told them this, must have been very regardless of his Reputation, and been thought to have had a great Deal of ill Nature. But the Truth is, we have lived in an Age of Miracles, and there is nothing so extravagant that we may not expect to see, when surly Patriots grow servile Flatterers, old Commonwealthsmen declare for the Prerogative, and Admirals for the Fleet.

But I wonder what Arguments in Nature our Hirelings will think of for keeping up an Army this Year. Good Reasons lie within a narrow Compass, and might be guessed at ; but Nonsense is infinite. The Arguments they chiefly insisted upon last Year were, That it was uncertain whether the *French* King would deliver up any of his Towns if we disbanded our Army ; that King *James* had eighteen thousand Men at his Devotion kept by the King of *France* ; that a great Fleet was preparing there on some unknown Design ; that the King of *Spain* was dying ; that there was no Militia settled ; and that they would keep them up only for a Year to see how the World went. This with a few Lies

about my Lord *Portland's* and *Bouffler's* quarrelling, and some Prophecies of our being invaded in six Months, was the Substance of what was said or printed.

Now in Fact the *French King* has delivered up *Giron, Roses, Belver, Barcelona*, and a great Part of the Province of *Catalonia* : The Town and Province of *Luxemburg*, and the County of *Cbiny* ; the Towns of *Mons, Charleroy, Courtray*, and *Aeth* in the *Spanish Provinces*, to the King of *Spain*.

The Town of *Dinant* to the Bishop of *Liege*. The Towns of *Pignerol, Cazal, Susa, Montmelian, Nice, Villa Franca*, all *Savoy*, and Part of *Piemont* to the Duke of *Savoy*.

The Cities of *Treves, Germanshheim*, and the Palatinate ; the County of *Spanheim, Veldentz*, and Dutchy of *Deuxponts* ; the County of *Mombelliland*, and some Possessions of *Burgundy* ; the Forts of *Kiel, Friburg, St. Peterfort, Destoile* ; the Town of *Philipsburg*, and most of *Alsace, Eberenburg*, and the Dutchy of *Lorraine* to the Empire ; has demolish'd *Hunningen, Montroyal* and *Kernburg*.

He has delivered up the Principality of *Orange* to the King of *England*.

These are vast Countries, and contain in Bigness as much Ground as the Kingdom of *England*, and maintain'd the King of *France* above 100000 Men ; besides, he had laid out vast Sums in the Fortifications he delivered up and demolished. Add to this, his Kingdom is miserably impoverish'd and depopulated by this War ; his Manufactures much impaired ; great Numbers of Offices have been erected, which like
Leeches

Leeches draw away the Peoples Blood ; prodigious Debts contracted, and a most beneficial Trade with *England* lost. These Things being considered, there can be little Danger of their shewing overmuch Wantonness, especially for some Years: And yet still we must be bullied by the Name of *France*, and the Fear of it must do what their Power could never yet effect, which is a little too gross, considering they were enslaved by the same Means. For in *Lewis* the Eleventh's Time, the *French* gave up their Liberties for Fear of *England*, and now we must give up ours for Fear of *France*.

Secondly, Most of King *James's* *English* and *Irish* Forces which we have been so often threatned with, are disbanded ; and he is said to subsist upon his Majesty's Charity, which will be a sufficient Caution for his good Behaviour.

Thirdly, The *French* Fleet, which was another Bugbear, exceeded not this Year 20 Sail, nor attempted any Thing, tho' we had no Fleet out to oppose them.

Fourthly, The King of *Spain* is not dead, nor in a more dangerous Condition than he has been for some Years ; and we are not without Hopes that his Majesty by his extraordinary Prudence has taken such Care as to prevent a new War in case he should die.

Fifthly, As to the Militia, I suppose every Man is now satisfied that we must never expect to see it made useful till we have disbanded the Army. I would not be here understood to throw the whole Odium of that Matter upon the Court ; for there are several other Parties in *England*,

land, that are not over zealous for a Militia, First, those who are for restoring King *James's* Trumpery, and would have the Army disbanded, and no Force settled in the Room of it. Next, there are a mungrel Sort of Men who are not direct Enemies to the King, yet because their fancied Merit is not rewarded at their own Price, they are so shagreen that they will not let him have the Reputation of so noble an Establishment. Besides these, there are others that having no Notion of any Militia but our own, and being utterly unacquainted with ancient and modern History, think it impracticable: And some wretched Things are against it because of the Charge; whereas if their Mothers had taught them to cast Account, they would have found out that 52000 Men for a Month will be but the same Charge to the Subject, as four thousand for a Year, supposing the Pay to be the same; and reckoning it to be a Third Part greater, it will be equivalent to the Charge of 6000: And if we should allow them to be out a Fortnight longer than was designed by the last Bill for exercising in lesser Bodies, then the utmost Charge of such a Militia will be no more than to keep up 9000 Men the Year round. None of the Parties I mention'd will openly oppose a Militia, tho' they would be all glad to drop it: And I believe no Body will be so hardy as to deny, but if the Court would shew as much Vigour in prosecuting it, as they did last Year to keep up a Standing Army, that a Bill would pass; which they will certainly do if we disband the Army, and they think it necessary; and if they do not, we have no Reason to think
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an Army so. When they tell us we may be invaded in the mean Time, they are not in earnest; for we all know if the King of *France* has any Designs, they look another way: Besides, he has provided no Transports, nor is in any Readiness to make an Invasion; and if he was, we have a Fleet to hinder him; nay, even the Militia we have in *London* and some other Counties, are moderately exercis'd: And I believe those who speak most contemptibly of them will allow them to have natural Courage, and as good Limbs as other People; and if they will allow nothing else, then here is an Army of a hundred or sixscore thousand Men, ready listed, regimented, horsed and armed: And if there should be any Occasion, his Majesty can put what Officers he pleases of the old Army over them, and the Parliament will be sitting to give him what Powers shall be necessary. We may add to this, that the disbanded Soldiers in all Probability will be Part of this Body; and then what Fear can there be of a scrambling Invasion of a few Men?

I have avoided in this Place discoursing of the Nature of Militia's, that Subject having been so fully handled already; only thus much I will observe, that a Standing Army in Peace will grow more effeminate by living dissolutely in Quarters, than a Militia that for the most Part will be exercised with hard Labour. So that upon the whole Matter, a Standing Army in Peace will be worse than a Militia; and in War a Militia will soon become a disciplin'd Army.

Sixtly, The Army has been kept up for a Year, which is all was pretended to; and notwithstanding their Prophecies, we have had no Invasion, nor Danger of one.

Lastly,

Lastly, The Earl of *Portland* and Marshal *Boufflers* were so far from quarrelling, that perhaps no *English* Ambassador was ever received in *France* with more Honour.

But further, there is a Crisis in all Affairs, which when once lost, is never to be retrieved. Several Accidents concur to make the disbanding the Army practicable now, which may not happen again. We have a new Parliament, uncorrupted by the Intrigues of the Courtiers: Besides, the Soldiers themselves hitherto have known little but the Fatigues of a War, and have been so paid since, that the private Men would be glad to be disbanded; and the Officers would not be very uneasy at it, considering they are to have Half Pay, which we must not expect them hereafter when they have lived in Riot and Luxury. Add to this, we have a good Prince, whose Inclinations as well as Circumstances will oblige him to comply with the reasonable Desires of his People. But let us not flatter our selves, this will not be always so. If the Army should be continued a few Years, they will be accounted Part of the Prerogative, and it will be thought as great a Violation to attempt the disbanding them, as the Guards in *Charles II's* Time; it shall be interpreted a Design to dethrone the King, and be made an Argument for the keeping them up.

But there are other Reasons yet: The publick Necessities call upon us to contract our Charge, that we may be the sooner out of Debt, and in a Condition to make a new War; and 'tis not the keeping great Armies on Foot that will enable us to do so, but putting our selves in a Capacity

capacity to pay them. We have had the Experience of this in eight Years War; for we have not been successful against *France* in one Battel, and yet we have weigh'd it down by mere natural Strength, as I have seen a heavy Country Booby sometimes do a nimble Wrestler: And by the same Method (not our Policy, Oeconomy, or Conduct) we must encounter them hereafter, and in order to it should put our selves in such Circumstances, that our Enemies may dread a new Quarrel, which can be no otherwise done, but by lessening our Expences, and paying off the publick Engagements as fast as we are able.

'Tis a miserable Thing to consider that we pay near 4000000 *l.* a Year upon the Account of Funds, no Part whereof can be apply'd to the publick Service, unless they design to shut up the *Exchequer*; which would not be very prudent to own. I would therefore ask some of our Men of Management; suppose there should be a new War, how they propose to maintain it; For we all now know the End of our Line, we have nothing left but a Land-Tax, a Poll, and some few Excises, if the Parliament can be prevailed upon to consent to them. And for once I will suppose, that all together, with what will fall in a Twelvemonth, will amount to 3000000 *l.* and a Half, which is not probable; and we will complement them, by supposing they shall not in case of a new War give above fourteen or fifteen *per Cent.* for Premiums and Interest, then the Remainder will be 3000000 *l.* I believe I may venture to say, they will not be very fond of lessening the Civil List, and lose their Salaries and Pensions. Then if we deduct

700000 Pounds *per Annum*, upon that Account there will be 2300000 Pounds *per Annum* for the Use of the War, if the People pay the utmost Penny they are able; so that the Question will not be as in the last War, how we shall carry it on against *France* at large, but how 2300000 Pounds shall be disposed of to the greatest Advantage; which I presume every one will believe ought to be in a good Fleet.

This leads me to consider what will be the best, if not the only Way of managing a new War, in case of the King of *Spain's* Death, and a new Rupture with *France*; and I will suppose the Nation to be as perfectly free from all Incumbrances as before the War. Most Men at this Time of Day, I believe, will agree with me that it is not our Business to throw Squibs in *Flanders*, send out vast Sums of Money to have our Men play at Bopeep with the *French*, and at best to have their Brains beat out against Stone Walls: But if a War is necessary there, 'tis our Interest to let the *Dutch* and *Germans* manage it, which is proper for their Situation, and let our Province be to undertake the Sea; yet if we have not Wit and Honesty enough to make such a Bargain with them, but that we bring ourselves again to a Necessity of maintaining Armies there, we may hire Men from *Germany* for Half the Price we can raise them here, and they will be sooner ready than they can be transported from hence, that Country being full of Men, all Soldiers inured to Fatigue, and serving for much less Pay than we give our own: Besides we shall carry on the War at the Expence of others Blood, and save our own People,

which

which are the Strength and Riches of all Governments; we shall save the Charge of providing for the Officers when the War is done, and not meet with such Difficulties in disbanding them.

There are some Gentlemen that have started a new Method of making War with *France*, and tells us it will be necessary to send Forces to *Spain* to hinder the *French* from possessing that Country; and therefore we must keep them up here to be ready for that Service: Which by the way is acknowledging the Horse ought to be disbanded, since I presume they don't design to send them to *Spain*. But to give this a full Answer, I believe it is every ones Opinion that there ought to be a strong Fleet kept up at *Calis*, or in the *Mediterranean*, superior to the *French*; and then it will be easier and cheaper to bring the Emperor's Forces by the Way of *Final* to *Spain*, than to send Men from hence: And they are more likely to be acceptable there, being of the same Religion, and Subjects to the House of *Austria*; where it is to be feared our Men would be in as much Danger from that bigotted Nation as from the *French*: Besides, the King of *Portugal* is arming for his own Defence, and a Sum of Money well disposed there, will enable him to raise double the Forces upon the Spot as can be sent from hence with the same Charge.

But for once I will admit it necessary we should send Forces both to *Flanders* and *Spain*; yet 'tis no Consequence that we must keep up a Standing Army in *England* till that Time comes. We may remember *Charles II.* rais'd between 20 and 30000 Men to fight against *France* in

less than 40 Days ; and the Regiments this King raised the first Year of his Reign were compleated in a very short Time ; for my own Part I am of Opinion, that a new Army may be rais'd, before Ships and Provisions will be ready for their Transportation, at least if the Management is no better than 'twas once upon a Time ; and perhaps it may happen that the King of *Spain* will not die in the Summer-time, and then we shall have the Winter before us. We may add to this, that the King of *France* has disbanded a great many Men, that his Country now lies open in a great many Places ; that the *Germans* and *Dutch* keep great Numbers of Men in constant Pay ; and in all Probability there will be a Peace with the *Turks* : That *Portugal* and the *Italian* Princes must enter into the Confederacy in their own Defence ; and that the *French* will ly under an equal Necessity to raise Forces with a much less Country than in the former War, to oppose such a mighty Union of Princes, who will attack him upon the first Attempt he makes upon *Spain*.

And after all, what's the mighty Advantage we propose by keeping this Force ? Why forsooth, having a small Number of Men more (for the Officers will always be ready, and now a great Part of the private Soldiers are to be rais'd in case of a new War) ready six Weeks sooner to attack *France*. And I durst almost appeal to these Gentlemen themselves, whether so small a Balance against *France* is equivalent to the Hazard of our Liberties, Destruction of our Constitution, and the constant Expence of keeping them up, to expect when the King of *Spain* will be pleas'd to die.

If these Gentlemen are really afraid of a new War, and don't use it as a Bugbear to fright us out of our Liberties, and to gain their little party Ends, the Way to bring the People into it heartily, is to shew them that all their Actions tend to the publick Advantage, to lessen the National Expences, to manage the Revenue with the greatest Frugality, to postpone Part of their own Salaries, and not grow rich while their Country grows poor, to give their hearty Assistance for appropriating the *Irish* Lands gain'd by the Peoples Blood and Sweet to the publick Service, as was promis'd by his Majesty, and not to shew an unhappy Wit in punishing some Men, and excusing others for the same Fault, and spend three Months in Intrigues how to keep up a standing Army, to the Dread of the greatest Part of the Nation; for let them fancy what they please, the People will never consent to the raising a new Army till they are satisfied they shall be rid of them when the War is done; and there is no Way of convincing them of that, but the disbanding these with Willingness. When we see this done, we shall believe they are in earnest, and the People will join unanimously in a new War, otherwise there will always be a considerable Part of the Nation (whatever personal Honour they have for his Majesty, or Fears of *France*) that will ly upon the Wheels with all their Weight, and do them more Harm than their Army will do them Good.

To conclude, we have a wise and virtuous Prince, who has always endeavour'd to please his People by taking those Men into his Councils which they have recommended to him by
their

their own Choice ; and when their Interest has declin'd, he has gratified the Nation by turning them out. I would therefore give this seasonable Advice to those who were once call'd Whigs, that the Way to preserve their Interest with his Majesty is to keep it with the People ; that their old Friends will not desert them till they desert their Country, which when they do, they will be left to their own proper Merits : And tho' I am not much given to believing Prophecies, yet I dare be a Prophet for once, and foretel that then they will meet with the Fate of King *Phys.* and King *Ush.* in the Rehearsal, *Their new Masters will turn them off, and no Body else will take them.*

T H E E N D.



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P R E F A C E.

HIS Majesty was most graciously pleased, soon after his Accession, to promise his Parliament; That he would reduce his Forces as soon as it cou'd be done without Prejudice to the Common Cause, and consistent with the Interest of his Kingdom. *When the Congress was opened at Soissons, in order to accommodate all Differences then subsisting in Europe; when we had the greatest Hopes and Assurances that a general Peace was very near being established; at this Time this little Treatise was first published, to give Reasons why it was necessary for the Good of the Publick, for the Preservation of our Constitution, and for the Security of our Laws and our Liberties, not to keep up a large Army in a free Country in time of Peace. It happen'd that this Congress broke up, without the desired and promised*

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iv P R E F A C E.

mis'd glorious Effect. Whether the Points of Gibraltar and Port-Mahon were not made the Conditions, sine qua non, of that Treaty, as we were told they were to be, or to whatever Occasion it was owing, the World was again thrown into the same Incertainty and Fluctuation of Affairs as before. The Peace therefore not being settled, these Pages could have no other Consequence at that Time, than to shew Mankind the Necessity of reducing an Army, when it could most certainly and safely be done, consistent with the Interest of the Kingdom.

The great Work is at last effectuated, a general Pacification has established the Tranquillity of Europe : this, therefore is the proper Time to republish this Piece, when we are to think of reducing our Land-Forces, of returning to our antient Constitution, of shewing our Oeconomy, by beginning to make a proper and a just Saving to the Publick, encumber'd with so heavy a load of Debts ; and of shewing Mankind likewise, that we are willing, as soon as we are able, to be Just. And above all, that we are zealous to preserve our Civil Rights and Liberties, at a time when it can be done with the utmost Security.

P R E F A C E.

V

I am afraid too many imagine a Standing Army to be a necessary and an essential Part of our Constitution ; not considering, it is only kept up and paid from Year to Year by Parliament.—But as it has been annually joined to us for a long time, it may look to many as if it were consolidated with, and become a Part of our Establishment. Yet the Case is far otherwise ; thank Heaven we are not reduced, and I hope we never shall be, to that great Necessary of an Absolute Government, a Standing Army in Times of Peace. Absolute Governments must be Military Governments, and Military Governments are utterly inconsistent with a free People. It is the Profession of a Soldier, to decide by Force and the Sword : it is the Business of the Civil Power, to determine by Law and Justice. No wonder then, if two such different Powers do not very naturally agree under one Administration ; since we know too, that the strongest are always the best Casuists, when Arguments are to be carried on the Point of the Sword. But our Army, say those who are for keeping up our Standing Forces, is very far from being dangerous ; it is well regulated, well paid, well disciplined ; and commanded by Men of Honour, Interest and Distinction in their

vi P R E F A C E.

Country. I grant it is so, and that the Officers are Gentlemen of great Worth and Honour ; but surely, the better disciplined an Army is, the more dangerous it is to the Liberties of the People ; as want of Discipline and Order must render them weak, and less capable of doing harm. And as to the Virtue of the Officers, we can ourselves remember the time when they were closeted and garbled by the Court, and those who wou'd not come into its Measures discharged the Service. And, but for the particular Interposition of Providence, who gave the Persons then in the Administration no time to go on with their Measures, we might have fatally experienced what an Army so garbled was capable of performing. Marius, and Sylla, and Cæsar, and Cromwell, and many more Masters of victorious and well-disciplined Armies, seized on the Liberties of their Countries, and sheathed their Weapons in the Bosoms of those who paid them their Wages.

No true Englishman but must abhor the Thought of seeing a large Standing Army entailed upon the Nation ; and surely, the proper and only time to reduce the Army is this time of general Peace, when we are not only free from
all

all manner of foreign and domestick Apprehensions ; but when we have a Prince on the Throne, whose chief Glory it is to govern by the Laws of the Land, and to reign in the Hearts of his Subjects ; and when we have a wise and uncorrupt Parliament, who watch carefully for the publick Welfare.

If it has hitherto happened, that the bad Circumstances of our Affairs have not suffer'd us to reduce our Army so low as every good Englishman wished it to be, we shall not surely, at this time, when it is acknowledged in Parliament, when we are graciously told from the Throne, that the general Tranquillity of Europe is restored and established, think of keeping up an Army of 20,000 Men, and loading the Publick with all that great and unnecessary Charge. The keeping up a Standing Army in Times of Peace, was so far from being practised in England under the Government of any, even our most absolute Princes, that as The short History of Standing Armies observes — During all the Wars of York and Lancaster, whatever Party prevailed, we do not find they ever attempted to keep up a Standing Army. Such was the Virtue of those Times, says he, that they wou'd rather run the hazard

hazard of forfeiting their Heads and Estates to the Rage of the opposite Party, than certainly enslave their Country, tho they themselves were to be the Tyrants. *I beg leave to conclude in the Words of another ingenious Writer, who says with great Truth and Spirit* — That all Standing Armies may be made Instruments of Faction ; because a Body of Men, separated in many respects from the rest of the Nation, constrained to different Customs, and in some measure subject to different Laws ; may be easily persuaded that they have a different Interest. And these Casuists in red, *says he*, are the more dangerous in this respect, that having Swords by their Sides, they are able at once to cut those Gordian Knots, which others must untie by degrees.

I have said nothing relating to the dismissing of the 12,000 Hessian Troops, because, it is generally believed, care has been taken for the doing that already. It wou'd indeed give too much occasion for murmuring, at this happy Juncture, if they shou'd still be thought necessary, the Bent of the People having been thought to be generally against keeping up of foreign Forces in English Pay. We have been told, this Subsidy amounts
to

to no less than a Tax of Six-pence in the Pound. These Troops are not to be kept up now, surely, for the sake of any Dominions Abroad; Gibraltar and Port-Mahon are safe; the Peace is concluded; the Treaties of Seville, Vienna, &c. are all accomplished to our Satisfaction. In a word, every Reason which, last Year, the Author of a Pamphlet, intitled, Considerations on the Present State of Affairs, offer'd for maintaining those Troops is vanished: And therefore we hope and believe they will be kept up no longer.

R E A-



REASONS, &c.

I AM very well satisfy'd that as soon as these Sheets appear, I shall be pelted with all the common place Scandal usually given to those who differ from some Men in Opinion and Interest; I shall sometimes be a Malecontent, at other times a Mock-Patriot, and most certainly and always a Jacobite; but as I am conscious, I heartily intend the Good of Mankind by publishing my Thoughts on this occasion; I am deter-

min'd to suffer Reproach, as a Martyr to Truth ought.

W H A T I shall say in the following Pages against a Standing Force, as inconsistent with our Laws and Constitution, I mean to say with as much Duty and Regard for the truly Royal and Princely Virtues of his Majesty as any Courtiers of them all : And when I deliver my humble Opinion in what manner our Constitution is best to be maintain'd and supported, they will be pleas'd to know, that I do my best to serve my Prince and my Country ; and if instead of attempting to raise Triumphal Arches, and Pyramids of gilded Honour, I honestly point out what I conceive to be the solid Foundation of true Glory and Power, however imperfectly my Design may be executed, I hope at least I shall be pardon'd the Attempt.

A N D as I have the Honour to be personally acquainted with several Gentlemen in the Army, and know more of them by Character, to be Men of
great

great Worth and true Honour, and utterly incapable of conceiving, and much less of executing any Designs against their native Country, some of them having been tryed in times of great Temptation as well as of Danger; I hope they will be so just to themselves and to me, to consider, that whatever Arguments are brought in these Papers against a Standing Army, and the danger that our Constitution may suffer from it, are by no means to be understood as levell'd particularly or personally: and were they, and the magnanimous Prince who Commands them, *Immortal*; the Dangers which we conceive might arise from this quarter, wou'd be only in Speculation: give me leave therefore to talk of Armys, as Armys generally are, and as they may relatively do good or harm to us.

OUR History from the Reign of *Richard* the Second, to King *Charles* the First, gives us not one Instance of any King of *England* who kept a Standing Army in time of Peace. *Henry* the Seventh it is true, raised a few Men,

rather for his personal Attendance than Defence, and called them *Yeomen of the Guard*; and the Armys that were in those Days from time to time occasionally raised, to quell intestine Disorders, or for foreign Service, were always constantly and immediately disbanded when that Service was over; and even in the bloody and civil Dissensions between the Houses of *York* and *Lancaster*, we never hear that the Conqueror ever kept his Force on foot when the Action was over,

KING *Charles* the First after his Misfortunes, found himself in the Power of the Army, which very Army, tho the Parliament raised it, and voted it to be disbanded, refused to obey its Masters, took possession of the Person of the King, drew up themselves a Charge of High Treason against several Members of Parliament for attempting to disband them, and then cut off the King's Head.

AFTER this, by this very Standing Army *Cromwell* governed, he divided
England

England into Districts, and placed Major Generals over them, who like so many *Bashaws* decimated the poor Cavaliers, and raised Taxes at Pleasure.

UPON the Death of *Cromwell* the Army set up *Richard* his Son, he called a new Parliament, which was soon dissolved by the Soldiers, who immediately took the Power into their own Hands, and then unable to manage it, they gave the People their Commonwealth again, and soon after took it from them once more, because they refused to make the Military, independent of the Civil Power; then *Old England* was govern'd by a *Council of War*, who called themselves *The Committee of Safety*, and *Conservators of Liberty*: but this Model pleasing as little as the rest, they agreed to send two Representatives from every Regiment, in which shou'd consist the *Great Council of the Nation*.

THIS, ridiculous as it may seem, is the lively Example of the Government
of

of an Army, and an Army too that was raised for, and in defence of the Cause of Liberty, well disciplined, religious, sober. If this Army durst to commit Violence to its Masters, when the People were fond of their new gotten Liberty, and but just recover'd from Arbitrary Power; if ever for our Sins it shou'd happen in any future Age, that an Army shou'd become dissolute and debauched, and a People corrupt and inclin'd to Slavery, what may they not attempt with Success?

KING *James* the Second raised and maintain'd out of his Revenue an Army of 18,000 Men; soon after his Accession *Monmouth* landed in the *West*, and a Body of between 5 and 6000 Men which the Duke had with him were defeated by 2000 of the King's regular Troops; upon this Success King *James* increas'd his Army, and told his Parliament he wou'd not part with them, he *expected* he said a Supply, told them in effect, that an Army would as certainly raise Money, as Money wou'd raise

raise an Army, and upon their rousing the true *English* Spirit, and not inclining to be bully'd out of their Property, he prorogu'd them, and increas'd his Army in *England* to 20,000 Men, and in *Ireland* to 8000 Men. The great Error of King *James*, after he had raised and established his *English* Army, was bringing over Regiments from *Ireland*, and putting *Irish* Papists into *English* Regiments, and cashiering both Officers and Soldiers, as fast as he could get Supplies of *Irish* Catholicks; by this means, by distrusting, he disobliged his Army: and to this, and other Acts of Folly and Bigotry, we owe the Blessing of the Revolution, or we might have felt at this hour, what a Standing Army is capable of effecting.

WHEN King *William* came in, one fundamental Article for the Establishment of our Libertys in the *Bill of Rights*, was in these words, *That the keeping up a Standing Army in Times of Peace, is contrary to Law.* Upon the Peace of *Ryswick*, only part of the Army was disbanded

banded at first; and as the People were before prevailed upon to keep up the Army in hopes of a Peace, so now they were told they must keep them up for fear of a new War, and the *Pensioners* and the *Place-Men* were all in that Opinion. *France* was arming, the King of *Spain* dying, and a hundred Pretences were occasionally invented, to amuse and alarm the People, and to make the keeping of the Army on foot necessary and useful; and this ended in a Parliamentary Establishment of *Ten Thousand Men*, whereof the greater Number were to be Horse and Dragoons, and the Sum given for their Support was 350,000 Pounds.

THUS a *Standing Army* was established by *Law* among us; thus, what no Prince had ever the Courage to ask before, what the Pensioner Parliament cou'd not think of without Horror, what King *James's* own Parliament would not debate, was fixed at once upon us, and under our glorious Deliverer King *William*.

Y E T

YET upon the Conclusion of the Peace of *Ryswick*, and not long before this Establishment, we may remember the Fears with which the Minds of the People were agitated with relation to a Standing Army ; they were so great, that they oblig'd the King to send back his blue Guards, who had served his Majesty long and faithfully, and who would have been pleased to have kept them near his Person : and this the Parliament oblig'd their Prince to do, tho they were very sensible of the many Blessings they had received from him, and always gratefully acknowledg'd them : and the Establishment afterwards, as we have said, for Guards and Garisons, was but ten thousand Men, which we see is since increased to 22,000 Men ; and so dangerous are Precedents of this kind, that we should now think our selves very happy to see the Army reduced to the Number of 10,000 Men, which at that time many honest and sensible People, complain'd of as an Incroachment upon their Libertys.

I HAVE seen a Computation of our Land Forces, and the Land Forces in our pay, in several Parts of the World, during the last Year of the late War, by which they amounted to *Two hundred and one thousand, one hundred and sixteen Men*; a prodigious, and almost incredible Expence; the Load of which does still lie heavy upon us. Soon after the Peace of *Utrecht*, there was a general Reduction, (except about 8000 Men, and seven Regiments left in *Flanders*, and those on the *Irish* Establishment.) When the Rebellion broke out in *Scotland* and *England*, the Army was augmented with additional Regiments; since that they have several times occasionally increased and diminished, sometimes Men have been added to Companys and Troops, and sometimes whole Companys and Troops to Regiments.

OUR present Establishment in *England*, for Guards and Garisons only, is *Twenty two thousand, nine hundred and fifty five Men*, including six independent Companys

Company's in *North Britain*. The Charge of maintaining this Army by the Publick, amounts to *Seven hundred eighty six thousand, nine hundred and odd Pounds*; and this, too, exclusive of the Troops on the *Irish* Establishment, our Garisons and Plantations abroad, and beside what we pay for Mercenarys to the *Landgrave of Hesse-cassel*, and Subsidies to the *Duke of Wolfembuttel*, &c.

THUS it is plain we have a greater standing Force kept up at this hour in *Great Britain*, than ever was known to any of our Ancestors in times of Peace; I think I may call it Peace, however expensive it may be with relation to our present Circumstances.

THERE are several Reasons, which, as they occur to me, make the reducing the Army at this time to be necessary and beneficial to the Publick; and if they shall have the same Weight with others as with me, I hope this will be thought worthy a Parliamentary Inquiry.

FIRST, we ought to think, whenever we can do it with safety, of lessening the great Expence of the Nation ; this very Article, as we see, amounting to near 800,000 Pounds a Year, a very large annual Charge, at a time when we are so immensely in debt : we ought at least to shew, by the most exact Oeconomy in our Publick Affairs, that we are willing, as fast as we are able, to think of reducing our superfluous Expences ; and if some part of the Army were reduc'd, it would begin the good Work of Saving to the Publick. When I talk of Reduction, I would be understood to mean the Reduction of Corps's intire ; for what I have heard lately mention'd, of keeping the Corps's intire, and only lessening the Numbers of Men, cannot be called a Reduction, at least such a Reduction as will be necessary ; it will neither answer what is expected from it in the Expence, or otherwise ; it may make some People wrongfully imagine, that the present Number of Corps's are to become a

Part

Part of our Constitution, and that we must never hope to see them lessened : As to the Saving, 'tis impossible to contrive it so as to make it of great use to the Publick, for I have always understood, in a general Computation of the Charge of a Regiment, that the Officers are at least two thirds of the Expence ; so that if you reduce the Men, and not the Officers, the Charge is very little reduced, and will amount to little more than what has been practised by a vicious Commissary in false Musters.

THIS likewise seems to me the proper time for doing this, as the Affairs of *Europe*, which have been troubled and very much embroiled for some time past, seem now, at least to the Apprehension of those who are not in the Secret, to be clearing up : and as our Ministers, who have been always heartily supplied with every Power they have asked from Parliament, and have had some Aids unknown till within a few Years to our Constitution, but which the Parliament intrusted them with,

with, from the Assurances given them of the great Success they must have abroad, tho some were apprehensive the Precedent might be attended with some little danger at home ; thus assisted, I say, we have no reason to doubt, but by the great Wisdom and Address of his Majesty's Ministers, both at home and at *Soissons*, that a lasting and a solid Peace will be establish'd in *Europe*.

THE Affections of the People (the great Bulwark and Honour of every Prince's Throne) are intirely with our most gracious Sovereign : His chief and first Happiness is placed, where it ought to be, and where his best Security is, in the Hearts and Affections of his Subjects ; there he reigns, and I hope will always reign an absolute Monarch, defended by Guards never to be conquer'd or corrupted : How glorious ! how great does a King appear thus secured, when a whole People bless him, who are bound by their Affections, to what their Interest and their Duty would oblige them, and obey and support him willingly

lingly in War and Peace? When I see him thus surrounded, and hear the Acclamations of his Subjects; the broad Swords, the embroidered Belts, and the Feathers that trot after him, look in my Eyes only like useless and glittering Trifles; and, but that Custom has authoriz'd the Sight, they would lessen the Joy I received, by causing me to imagine the Sovereign distrusts the Loyalty of his People, and therefore did not think proper to go abroad without these venal Attendants. This Affection of his People, is a Glory that the most despotick Monarch in the Universe may envy and sigh after in vain; we see the one crowned with bloody Laurels, the other wreathed with peaceful Olive: The one sees the plenteous Harvest blessing all around him, and enjoys the Pleasure that rises in a good Mind, filled with Love and Benevolence to his fellow Creatures; the other plumes himself in a successful Field of Slaughter, or perhaps in having invaded the Property of his weaker and unoffending Neighbour.

ANO-

ANOTHER great Inconvenience from fuch a Number of Troops, and which His *Majesty* must fee with Concern, is the Burden they are to his People in many Places where they are quartered : thofe who keep Publick Houfes, and are obliged by Law to give them Lodging and Provifion for Horfe and Man, at a fmall fettled rate, have chofen, many of them, to take down their Signs, to give over their Bufinefs, and look out for fome new means of fuftraining themfelves and their Familys, being unable to fupport the exceffive Burden they lay under on this Account ; efpecially in the Towns and Villages adjacent to *London*, where Forage and Provifions are always dear.

THE Lofs of fo many hands to the Publick, is no mean Confideration ; as thefe Men in Arms neither fow nor plough, but are fed by the Sweat and Labour of the honeft Hind, they look to the People like fo many ufelefs hands, a fort of *Military Monks* : Nor can I
conceive

conceive any reason why these People should be denied the Use of their Limbs, or not suffer'd to employ them in gaining their Livelihood, as well as the rest of his Majesty's Subjects; as it is certain Idleness must render them enervate, and consequently if ever they are to be of use, less capable of their own Business. The Reason why they have not been permitted in some arbitrary Kingdoms to labour in the Country Works, has been out of a political Regard, and to prevent all Familiarity and Affection between the Peasant and the Soldier, which might some time or other prove dangerous to the Monarch; but here that Reason cannot subsist: I believe it would be much more agreeable to most People to see a lusty Fellow employ'd in the Tillage of our Land, and whistling to his Team in the Furrow, than loitering upon an Alehouse Bench in a Country Village, with a broad Sword in his hand, or poaching after the Poultry, or the Wives and Daughters of the honest and laborious Farmers: nor do I conceive our Hero's Honour or his Courage could

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receive

receive any considerable damage, altho he should be suffer'd to make a Pair of Shoes; or a Doublet; would he not cock his Hat as much like a Soldier, or turn out his Toes as gracefully, and waste the King's Powder as manfully, when he was called to that part of his Vocation, tho he should at other times fully his Fingers with a Saw or a Chissel, or descend to handle a Scythe, or a Reap-hook; he then might be a Thing of Use as well as Show, ornamental and beneficial too.

LET us see next what Dangers may happen to the Prince and the Publick, from such a Body of armed and idle Men.

FIRST as to the Prince; the People, who are naturally jealous, and Jealousy we know is the Child of Love, when they see so great an Army maintained, and no manner of Business for them either at Home or Abroad, may be apt to fancy their Loyalty distrusted, and consequently not to confide much, where

where they are not confided in : and this Jealousy, tho never so unreasonable and unjust, ought however by all means to be prevented. The next thing that might with Reason be apprehended, is the Danger of reducing them ; should they be continued thus from Year to Year, they would in time look to us like a Part of our Constitution, or what would be worse, they might look upon themselves as such, and refuse to be reduced. We have frequent Examples in History, where Armys, like wild Beasts, have broke thro' their Discipline, and turn'd upon their Keepers ; the Pretorian Bands of the *Roman* Emperors often de-throned and butchered their Masters, and it has been common, even in these latter Ages, for the Court Janizarys to change the Lords of the *Ottoman* Empire. I mention not these Instances, that I believe or fear, which I thank God we have not the least Reason to apprehend, that there will ever be a parallel Case here, but only to show to what Extremes the wild and ungoverned Will of Man may be driven.

AS to the Dangers that may arise to the People from a large and established Army, it is impossible to consider a Standing Force sufficient to oppose any Foreign Power, without considering it as sufficient likewise to oppress the Subject; for they must beat those whom we suppose able to beat us; or if the Case shou'd be otherwise, we may be assured that an Army which can do no hurt, can do no good, they must therefore be useless, or capable of hurting. I need not insist on shewing my Reader in what manner the Soldiery have produced almost in every Age and Country violent and sudden Revolutions. I have already said how *Cromwell's* Army expelled the Parliament under whom they fought, and by whom they were raised and paid; nor need I to enter here into the great Use and Strength which a well regulated Militia must be acknowledged to be, to a free People.

SOME

SOMETIMES Armys may be dangerous both to the Prince and to the People too, as in Cases of a general Mutiny, they have been known to throw off their Obedience both to their Princes and Commanders, and have undertaken, as we have shewn before, to govern by themselves. How dreadful the Condition of the People must be under such an Administration, is much more easy to be imagin'd than described; particular Care therefore ought to be taken, not only that the Soldier be kept in due Order and Discipline, but that he be well used and justly paid. And here I cannot help mentioning a very late Instance, when the Soldiers in the immediate Service of their Country, even some of those employ'd in the Defence of the Siege of *Gibraltar*; and while they were under Duty, and in actual Service, were not so well used as they ought to have been, at a time too when their Courage and Spirits ought to have received a more than ordinary Indulgence. It is inhuman and
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ungenerous at any time to receive any Profit that may arise out of their lawful Subsistence : God knows they have not Superfluities ; but it was a very dangerous trial of their Virtue, and but that *Englishmen* when abroad, I believe were never known to have taken Arms against their Country, the Consequences might have been worse, and the Avarice, not to say the Injustice of some few, might have lost us that important Fortress : But the great Wisdom and exemplary Justice of his most Sacred Majesty has interposed and given for this time a Check to Corruption ; how far he will be pleased to look back to do Right to every one that has been wronged, and perhaps in the same manner for some Years past, we have not time in this place to inquire ; and I only mention this to shew how detrimental to the Prince and the Publick a Mutiny must be, from whatever Spring it may arise.

ONE thing more only I beg leave to mention, because much insisted on by the Advocates for a Standing Force, and that
 is,

is, the great use it may be of to quell any unnatural Rebellion. I will not ask how they have always been quelled in *England*, after I have shewn that we have for 1000 Years never had an establish'd Standing Army : but Rebellions are not to be very suddenly and silently work'd up into a Power that can be dangerous to any but the Contrivers ; the last Rebellion in *Scotland* was some time in forming, and was managed and fomented, and kept up with great Art by a very dexterous Person, and one who had great Interest among, and knew the Passions of the People well with whom he dealt, and yet were they so slow in their Operations, that the Government had time to send for an Army from *Holland* of 6000 Men, who came over, marched almost the whole length of our Island, and arrived time enough in *Scotland* to have their Share in the Reduction of them. As to the practice of bringing Soldiers to quell every little Tumult, and riotous Assembly, it seems to me to be much more properly the Business of the Civil Magistrate, and he and the trained Bands, as
despicable

despicable as they are represented, are more than sufficient for that purpose, especially since the wholesom Laws that have been made in the last Reign, have almost put an end to these Mobs : And the Peace-Officers must be remarkably remiss in their Duty if Riots are now permitted to grow to any Head. I confess I am not so fond as some People seem to be, of seeing Soldiers employed on every Publick Occasion, particularly the frequent sending of Troops to Guard Seizures of Goods, when the Civil Power might be sufficient, if they were regularly summon'd by the Magistrate to take care that the King did not suffer. And the old way of guarding our Executions by the Servants of the Sheriff, looked to me to be more conformable to the Methods of Civil Government among a free People, than to see a Party of regular Troops, (tho the finest in the World) ranged in exact Discipline round the Gallows. Nor am I extremely delighted in beholding our publick Diversions kept in Order by the Terror of two tall Grenadiers, with Bayonets fixed, in the Front
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of our Theatre; and to my Eyes, two plain Constables, with the Staffs of their Civil Authority in their Hands; wou'd be a much more agreeable and pleasing Sight, because every one knows, that even when there is occasion, the Soldiers can only act in Aid of the Civil Power.

But to conclude this part of my Discourse; give me leave to say that all Governments, wholly supported by Mercenarys, are Tyrannys, nor wou'd there be any thing that I can find in our Air, our Sun, our Soil, or our Manners, to hinder us, shou'd we ever be so unhappy to fall under the like Circumstances, from being subject to the like Effects.

I SHALL now only ask my Reader's Patience, while I endeavour to shew him where our great Strength lies, and in what our natural Security consists.

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THE great and natural Strength which I mean, is OUR NAVY. THE NAVY OF ENGLAND. We have had no Rivals at least of late Years, not one of any the most formidable Maritime Powers hath pretended to Rivalship with us in the Dominion of the Seas; therefore one should think if we can contrive it so to be content with our Happiness and agree at Home, our Situation, and a proper Care of our Seamen and our Shipping must protect us from any Foreign Invasion. The plausible pretence of securing us from this Danger is an Argument made use of by many for the keeping up our present Standing Force: but I think they do not consider enough, how mad, how impracticable, and how dangerous any Enterprize of that kind must be, while we remain Masters of the Sea. I believe the Embarquement of the Troops under the Prince of *Orange* was managed with as much Expedition and Secrecy as an Affair of that kind cou'd be, yet
how

how much was it talk'd of? And how long and impatiently was it expected? King *James* had, long before they arrived, not only a List of the Number and Burden of the Ships, and I think the Transports were no less than 700; but of the Names and Characters likewise of every Captain in the Prince's Fleet; and if the Navy and the People had not been wholly with the Prince, in Heart and Principle, that glorious Enterprize might have miscarried. If then 700 Ships were necessary to Transport only 14000 Men at the Revolution, whence or how are we to be invaded? Are we to be attack'd by an Army to descend from the *flying Island* discover'd by Captain *Gulliver*, which may hover over *Salisbury Plain*, and pour upon us at once like a Shower of Hail, where no Ships can come: I grant in this Case our raw and undisciplin'd Militia might quail at the Sight, and so might our Veteran Legions too. This may be called trifling, and so is the Apprehension and Supposition that we are to fall all asleep at once:

Can any neighbouring Maritime Power fit out a Squadron to invade *England* without our having Notice? such Notice, as without we are become the most supine, as well as the most corrupt Nation upon Earth, must render all their Designs abortive, and ineffectual.

BUT let us go down to Particulars, and consider our selves with relation to our Neighbours: It may be allow'd me that from *Holland* we have nothing to fear, they being inviolably attached to us, by that only Principle that can bind one Nation to another, mutual Interest. The *French* have for many Years had no considerable Fleet at Sea, I think never since their last Engagement with us in the *Mediterranean*, when Sir *George Rook* commanded our Fleet: But suppose *France*, at present our good Friend and Ally (and I own, for my part, I think it is no improbable Supposition, that she may hereafter be our Enemy) but I say, suppose *France* shou'd be vain enough
to

to think of invading us, we will imagine likewise that their Councils are managed with Secrecy and Wisdom, and undiscernable to vulgar Eyes, but every Eye must see, and every Ear must hear the Preparations necessary to equip a Naval Armament for such an Enterprize; will they Rig, Careen, and Gun, and Man their Ships in private? The Calker's Hammers, and Carpenter's Axes are not used to do their Business with a little Noise; and shall we, whom it most concerns, be the only deaf and blind People in the World? Will they join their Ships from their several Ports without our knowing one word of the matter? *Brest*, their most commodious Port will not contain a sufficient Number of Ships, nor cou'd they one wou'd think, sail round from *Marseilles* to *Brest* and *Dunkirk*, without our having any the least Notice of the Affair. *Dunkirk* was a Port indeed from whence their Privateers galled us in the last War, but neither cou'd that be sufficient to equip a Fleet for the Design we talk of;

of; besides that Port is, or ought to be, incapable of carrying any Ship of Burden : every one knows, that by the Treaty of *Utrecht*, its Harbour, Basson, and all its Works were agreed to be rendered useless and demolished, and by the most solemn Engagements in that Treaty stipulated, never to be made a Port again : And surely they have never since that time, in violation of the Treaty, been repaired and render'd capable of receiving Ships of Burden ; neither could they come out of *Dunkirk* with their Guns on board, and while they are taking them in, if it were possible for us to have any Intelligence of them, our Fleet might prevent their Designs.

AND supposing we should grant, notwithstanding what has been said against the Probability of our being invaded, and notwithstanding what may be said, that the Name of a *Jacobite* is seldom made use of, or in the Mouth of any, but a few who have an Interest in keeping up that Title; and tho

a Jacobite is as rare a Creature among us now as a Rosicrucian, and his Schemes as chimerical; yet let us, for the Argument sake, allow that there are such People, and that they are able now to form a Scheme, and prevail upon any of our Neighbours who should prove weak, or wild enough, to support it from abroad : Yet, I have heard, the most experienc'd and successful General that this latter, or perhaps any Age has ever produced, I mean the late Duke of *Marlborough*, hath often declared that he would undertake to defeat any Power that could possibly be drawn together and embarked, and land so as to surprize us, with only three Bataillons of Guards, and two Regiments of Dragoons, supported by a weighty Train of Artillery ; that he would march directly against the foreign Troops, without regarding the Motions of the Rebels, or dividing his Forces to attack them.

BETWEEN

BETWEEN *Spain* and us, 'tis true, there have been lately great Misunderstandings; but her Fleet is at least in as low a Condition as that of *France*; her Situation more remote, and her Ports very incommode for such an Undertaking; and she has too lately felt the Power of an *English* Fleet in the *Mediterranean*, when we did not tamely fail by them only, but struck a Blow which was of use to us, and broke the Measures of *Alberoni*, who was a Genius like to have busied the World, and seemed at that time to awaken the *Spaniard* and rouse him to Action. No one will imagine, surely, that since this we have not followed our Blow, or bungled so in our Affairs, to be obliged to make an *Amende honorable*, for doing an Action that was natural and just, and our Interest: surely we could not be capable of doing a silly thing to excuse a right one. Some People are likewise apt to censure us as too mild, and too polite; they

they think we should have burnt their Ships, and plundered their Coasts, instead of contenting our selves with blocking up their Harbours, or looking in upon them as we sailed by: the Man, say they, who shakes his Cane over another, is in the Laws of Honour as guilty of affronting him, as if he actually cudgell'd him. We affronted the *Spaniard*, and he accordingly resented it as warmly as he could: we had the Pleasure and the Expence of the Quarrel, and I cou'd wish we had received the Profit that might have attended it.

I HAVE shewn thus that we have nothing to apprehend of this kind from our Neighbours, *Holland* being our Friend, and *France* and *Spain* in no capacity to hurt us: and it is not probable that any of the Northern Crowns will ever think of succeeding in any Attempt of this kind.

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IF

IT is therefore an undeniable Truth, that the great and only useful, and natural Strength of *England*, is her Fleet; these wooden Castles are of more solid defence to her, than those natural Rocks which incircle and guard her. Had some small Part only of the many Millions which were consumed in training a very numerous Land-Army, a Glory-hunting upon the Continent, during the last War, been employed on board the Navy, I fancy 20,000 of those brave Men might have been felt more effectually there, than 50, or 60,000 of them in *Flanders*, and have done more service to the common Cause.

OUR Neighbours regard us, only as they observe the Oeconomy and Polity of our Government; this reflects upon us Glory or Shame, Honour or Scandal. The ill Management therefore of our Maritime Affairs, and the remarkable Neglect of them till very lately,

lately, has been owing to some ill-judging and vain Politicians, who observing that the great Men among our Neighbours, who have been famed for the Arts of Government, employed themselves continually in forming Conventions and Alliances, and working Balances of Interest and Power; they therefore likewise, without considering, as they ought, or comparing the different Natures and Situation of their Government from ours, have been throwing us upon the same Measures with our Neighbours on the Continent; by this means we may be frequently drawn into Quarrels to which we have not any pretence, and may be made Principals where we ought not to be concerned as Seconds, and made to defend Alliances, to which we ought not to have been Partys.

IT is, and always must be deemed to be the true Interest of *England* to maintain her Commerce, and the Sovereignty of the Seas; all other Domi-

nion would not only be useless, but burdensom to her : Shou'd she attempt to make Conquests on the Continent, she might, like a greedy Infant, endeavour to grasp what she could not hold. Let her therefore cultivate her Marine, by encouraging and nursing by all means her gallant Mariners ; a Race of Men perhaps not to be equall'd in the World in Bravery and Truth. Let her endeavour to improve and increase her Commerce in every Branch of it ; and where she observes among her Neighbours that the greater would oppress the less, then 'tis her Business, and then only, to throw her Balance into the lighter Scale ; and this only means, in other Words, that she is so to guard her own Interest, that no Power in *Europe* may at any time become so great to be able to master the rest, and consequently at last to be dangerous to her. And happy would it be, if the Genius of our Ministers could in future times be confined within the Limits of our Island ; they would then
 confi-

sider the nature of our Situation, and how we are defended and guarded against the many Inconveniences and Dangers to which our Neighbours on the Continent must be continually liable; and therefore whatever Quarrels they may have among themselves, our Business must be to improve our Commerce, and to take care of our Navigation: A Minister therefore, whose Inclination leads him to be continually forming Alliances, and extending his officious Care to other Parts of the World, where it cannot be evidently and immediately of use and benefit to *England*; such a Minister, I say, the more extensive a Genius he may have this way, the more detrimental will his Administration prove to his Country; for if he is not adroit he must become the Dupe of others; and if he is able, and almost equal to this Business, yet still he will often engage us in unnecessary Dangers, and always in extraordinary Expences.

SINCE

SINCE therefore our Strength, our Treasure, and our Security consist in our Navy, and the Provision and Care that we take of the brave Seamen: it is apparently the Duty of those, to whose hands the Affairs of our Navy are intrusted, to take care, by the most exact Oeconomy in the Regulation of our Marine, to make our Seamen chearful and easy in their Business, and that the several Acts of Navigation, as well as the Law made in the last Session of Parliament, may be faithfully and punctually put in execution: to provide that their Victualling and their Usage be good, and that no extraordinary Punishments, which may be called Crueltys, may at any time be inflicted upon them, that there may not be extraordinary Complaints. And it is to be observed, that the Men are not often wrong in their Complaints; they may murmur when they are justly dealt by, but they seldom complain aloud when there is no foundation; they know

know when they deserve the Punishment they receive, as well as when they are injured or depriv'd of their dues. If this cou'd be brought about, we shou'd never want Seamen, or be oblig'd to impress them, and take them by force out of our Merchants Service to man our Ships of War : The business of a Seaman being, as Sir *William Petty* has computed, a very profitable Employment to a common labouring Hand, the Wages of one Seaman, being in his time, equivalent to the Wages of three common Labourers, and therefore if proper Care were taken to execute the Laws well that give Encouragement to them, Men wou'd naturally desire to put themselves into an Employment where they find a comfortable Subsistence.

I HAVE not said any thing in this little Treatise about the Pretender, nor betray'd any Fears of an Invasion from that Quarter any more than any other ; because, I conceive, the
Pope,

Pope, who seems at this time to be his principal, if not his only Patron and Protector, is not heartily inclin'd to do much more for him than he does. And tho' the old Gentleman shou'd equip a Fleet of Galleys, and man them with his most experienc'd Seamen, and they shou'd weigh Anchor out of the Port of *Ostia* with numberless Bulls, Benedictions, &c. tho' the best disciplined Troops in all *Campania* shou'd be furnished to his Service, and they too shou'd act under the Authority of a *Crusado*, and be commanded by the most experienced Officers that can be found in *Civita Vecchia*, the Success of the Expedition might be yet doubtful; their Galleys perhaps might not be able to live so well in our rough Seas, or to encounter our large Men of War, and shou'd they coast it round, and land in Safety at *Dover* with 1500 Transports, and 20000 bold *Italians* within them, there is yet one Objection remaining, that wou'd in my Opinion prevent their Success;

cess; and that is, that there are not many who have Inclinations, and less who have Courage to declare for him: so that the best thing that they cou'd do wou'd be to steal home again, like *Bays's* Army in Disguise, with all manner of Expedition, which might easily be brought about if they cou'd persuade our Fleet to keep out of the Way, or to fall asleep upon the Occasion.

A N D now I have shewn how little Reason we have to apprehend Invasions of any kind from Abroad; I think it incumbent upon me too to say, where I think the real Danger lies, and from whence I apprehend we may be invaded, and lose every thing that is dear to us. Whoever observes, as who has not, the general Corruption that has seiz'd the Morals of the People, and the extravagant and dissolute way of living into which many of our People of distinction are fallen, must know too that they generally outlive the Income of their Estates, and have by

G

that

that means very much entangled and embroiled their private Affairs, so as to be reduced by Necessity to be liable to Temptation; and thus they may at last become dependent, and capable of being bought, whenever a proper Purchaser offers, the Consequences of which may be terrible indeed. If ever it shall happen in future times, that the Way should thus lie open to Corruption on all sides, the great Council of the Nation it self may perhaps become venal, sell their Voices, *and contaminate their Fingers with base Bribes*; and whenever the House of Commons shall vote, as Lawyers talk, for their Fees; when they, too, shall be retained against their Country, Slavery will be authoris'd by Law, the Country and its Representatives must be in opposite Interests, and the Constitution become *Felo de se*: And to what then will every thing be reduced? what then will become of all your glorious Struggles for Liberty? the Blood and Treasure that have been consumed, and the Statutes
that

that have been enacted in defence and preservation of your Rights and Immunities? Great *William's* Deliverance, and a long and expensive War against the Power that would have inflav'd *Europe*, will be rendered of no use : and the Blood of every Man, either shed in the Field against Tyranny, or in Councils by the Tyrant ; even the Blood of *Sidney* and *Russel*, will have been spent in vain. Every thing that we pretend to be possessed of, must be possess'd at the Will of the Purchaser, and nothing will remain to us, but to lament the Condition to which we shall see our selves reduced, notwithstanding the Examples that live in History before our Eyes, of the many brave, opulent, and powerful Nations of the Earth, especially the two great Republicks of *Greece* and *Rome* who became Mortal, and perished by the same means.

BUT I persuade my self, and I hope,
that all these melancholy Apprehen-
sions

sions will vanish; and that when the present Circumstances of our Affairs are consider'd, we shall soon see a considerable Reduction of our Forces: and this we are encouraged to believe will be done, from the known Wisdom and Goodness of his Majesty, and a due regard of the Parliament to the publick OEconomy,

F I N I S.



BOOKS, Tracts, for STEPHEN AUSTIN,
and for the use of the Agents of the
American Colonization Society.

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OF THE
AMERICAN COLONIZATION SOCIETY,
FOR THE PURPOSE OF
EMANCIPATING THE
AFRICAN SLAVES.



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In Respect to Her
C O M M E R C E, D E B T S,
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THE

STATES

OF THE

MOUNTAIN

IN THE

COMMONWEALTH
OF MASSACHUSETTS

BY

ERASMUS YERGEN

PRINTED BY

W. L. G. & C.

NEW YORK

1871



T H E
Author's Apology.



Was not surprised, when my Bookseller desir'd I would give him leave to publish a second Edition of this little Treatise, he having, in a very short time, sold all the first Impression. The Pomp of the Title has drawn a great many People in to satisfy their Curiosity, and I could wish there had been something in the Contents worth their Pains in reading it over; but insignificant as it is, it was still rendred worse for want of due Care in correcting the Errors of the Press, and the haste I was in, in getting it printed, before his Majesty went Abroad.

The Author's Apology.

It having been detain'd some Weeks in the Hands of Persons, who did me too much Honour in reading the Manuscript, I was not able even to do Justice to myself, and therefore left some Passages liable to a just Exception for want of a common Explanation.

But I am happy in one Respect, that being in no circumstance of Life to expect Flattery, I have met with some, who commend my Design at least, whatever they may think of the Execution.

Gratitude oblig'd me to take a little pains for them, and to present them a Work somewhat more perfect than it was before, tho' after all I am afraid it is not in my power to give that Satisfaction I wish to do.

This requires the Labour of a more experienc'd Pen, a Genius of another sort. For my part, I shall be contented with the Commendations of a private Labourer, who has been concerned in laying the Foundation of a great Edifice, and hope to see a Structure built by this Plan, equal to the Dignity and Usefulness of the Subject.



TO THE
K I N G.

S I R,



Ambition, which in one Shape or other tempts all Mankind, has led me to ask Protection from the highest Object of human Greatness and Felicity.

For

D E D I C A T I O N.

For to be the common Father of above ten Millions of People, to govern them by Laws of their own making, and to shew no Instances of Power, but what is for their Benefit and Protection, is true Greatness ; and to see them in the Possession of a profuse Plenty and Fulness of Satisfaction, and to hear them, as often as they have an Opportunity, express their Gratitude in the most dutiful Acknowledgments of their Happiness under you, is true Felicity ; at least, Sir, 'tis your Felicity

DEDICATION.

who seem born for the Benefit of Mankind, and who have made the Good of others your chief Care, as it has been the first Object of your Thoughts.

But Providence, not only indulgent to us at present, has given us the delightful Prospect of never ceasing Happiness for our Posterity in your illustrious Family; the numerous Offspring of this Royal Stock being a certain Bar to those intestine Commotions which might otherways arise from a disputed Title, and swallow up our Liberties for ever.

This

DEDICATION.

This is a Blessing we ought to value as what is most dear to us. On this Basis stands our Religion, Lives, Liberties, Estates; and that this Foundation may ever remain, are the sincere Hopes and Wishes of, Sir,

Your most faithful

Subject and most

devoted Servant,

Erasmus Philips.



PREFACE.



I Must own myself very unequal to the Task I have undertaken; which required greater Experience in publick Business than I could possibly have; but that which incited me to enter into this Affair, was, that I found some Men so gloomy, that they thought us in a worse Condition than we really are, and that it would be impossible to pay the publick Debts; while others were so sanguine to believe it the easiest Thing in the World; nay, some are so credulous as to think, that this Debt of fifty three
B Millions,

P R E F A C E.

Millions, may not only be paid off, but still subsist in the Creditors Hands.

I could wish that Error had no Place in the Mind of Man; and that while I am endeavouring to undeceive the World, I may not fall into the Snare I would avoid. But this I am sure of, there is no Man of so little Importance in Life, but that he may contribute something to the Advantage of the Society he lives in; and if he who conducts us to Truth is most laudable, he who endeavours to find it out, is not to be discommended. It is in this Search I have taken some Pains; and if I have given a probable Account of our Affairs, it may serve to quiet the Minds of the desponding, and damp the Insolence of such, who from a mistaken Notion of our Weakness at Home, may be misled to disturb us from Abroad. But let them know, that in the Year 1727, we shall
3 have

PREFACE.

have near four Millions *per Annum* in case of a Rupture with an Enemy, without anticipating any new Fund, or breaking in upon the old.

Because some People seem to doubt the Truth of this Assertion, I thought it proper to explain to them in what manner these Sums may be raised.

The present sinking Fund, with the Augmentation occasioned by the Excise of Tea, Coffee and Chocolate, may be computed at

per Annum
700,000

1 *per Cent.* of the Interest of 33 Millions subscribed into *South-Sea* Stock } 330,000

The Land-Tax at 4 s. in the Pound } 2,000,000

The Malt-Tax above 600,000

Total 3,630,000

PREFACE.

As to the Strength and Power of *England*, it never was greater. We have now above two Hundred Men of War, a Force infinitely superior to any other Nation. As to her Wealth, her Trade, her Buildings, her Stock of all Sorts; her Gardens, Pictures, Jewels, the Profusion of Plate in private Houses, shew such an Increase, that the most envious Man must own, that though Luxury has a great Share in this Magnificence, yet to last so long a Time, there must be some Foundation of real Substance.

But that is self-evident: Yet there are some who would insinuate that all this Pomp and Shew is nothing but Tinsel, a false Lustre, that we owe more than we are worth, that our Money is diminished, and that we have little left but Paper Credit amongst us.

PREFACE.

To obviate so ill-grounded a Reflection, I have endeavoured to shew by what Channels our Specie has gone out; and in this Affair I have made large Allowances. I have endeavoured likewise to make it appear, that Even in the Time of War, as well as in Peace, great Sums of Money have been poured in upon us, so that it may be probable, that even now the Bullion may be near equal to what it was in 88, throwing the coined Gold and Silver into the Heap; though I am inclined to believe we have less Silver Money: But then surely no one will deny, that there is not more Plate worked up for Family Uses now, than in the Period of Time above-mentioned.

'Tis a hard Matter to trace all the Channels, by which Gold and Silver make their Flux and Reflux in and out of a Country, so as to measure the

PREFACE.

the Quantity exactly. But there are some Symptoms which certainly demonstrate whether a Nation gains or loses by a Commerce in general; great Numbers of People, a rich Commonalty, Money at low Interest, Land at a great Value, a quick Circulation, are such certain Proofs of the Riches of a Country, that no Man seriously can deny.

And if we consider only the Greatness of our Imports, which has for thirty Years been one Year with another four or five Millions visibly, it is not probable the Merchant would trade at a less Profit than 10 *per Cent.* and the Duty at an Average has been 20 *per Cent.* so that if we could suppose this Sum to be got clear out of those we trade with, this would amount to above 40 Millions in that Period of Time; nor indeed can it be otherways, when we consider the Greatness of our Expence, and our
visible

P R E F A C E.

visible Estate. It is true, it may be objected, the Merchant may gain, when the Nation loses; but then it is as certain, there has not been for many Years but two Trafficks, but what we have gained by; and they were the *French*, and the *Baltick*, upon account of our naval Stores. Both which, in my Opinion, from what I can collect from them that are acquainted with the Trade of those Countries, have been abundantly mistaken, especially that of *France*; their Wine is a bulky Commodity, and bought cheap at first Hand; their Silks are worn by few, and besides these, unless it be for Paper, Cork, Capers, and Rosin, we have but little Dealings with them.

As for the *Baltick* Trade, it has been very expensive to us; but then out of this Expence we must deduct what we get by Freight from other Countries,

P R E F A C E.

Countries, which never can be exactly computed; and therefore I have not so much as reckoned it in the Balance of the Nation's Traffick, but without doubt it comes to a considerable Sum.

Upon the whole, Probability is the only Path I can tread; and I hope whatever my Success otherwise may be, I may appear impartial; for this Maxim I have laid down in Life, rather to be thought to want any Thing than Truth.



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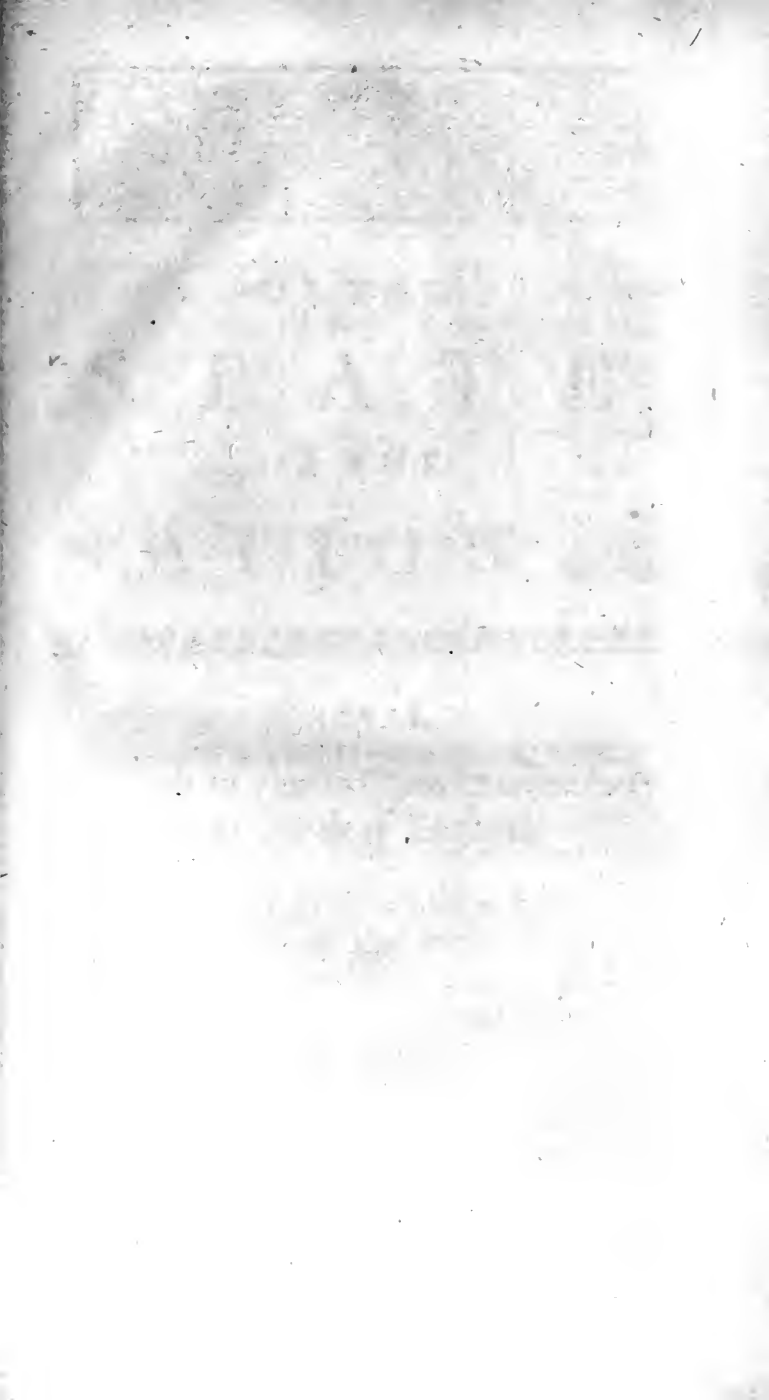
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OF THE
STATE
OF THE
NATION, &c.

CHAP. I.

*Of Trade in general; and particularly
of the Trade of England.*



TRADE is to the Body Politick as the Blood is to human Body; it diffuses itself by the minutest Canals into every part of a Nation, and gives Life and Vigour to the whole: Without this, no Country can be happy within herself, or support herself without against the Attacks of a powerful Neighbour.

Trade it is that brings us all the Aids, the Conveniences, the Luxury of Life; 'tis she that encourages all Arts and Sciences, gives Hopes to Invention, and Riches to Industry; Strength, Wisdom and Policy are in her Train; Plenty, Liberty and Happiness are her perpetual Companions.

Even Money itself without Trade, like stagnated Water, is of little use to the Proprietor. *Spain* is a living Instance of this Truth; the Mines of *Peru* and *Mexico* made that People think themselves above Industry; an Inundation of Gold and Silver swept away all useful Arts, and a total Neglect of Labour and Commerce has made them as it were the Receivers only for the rest of the World.

On the contrary, *Holland* is the most remarkable instance of the Advantages of Trade. It would be needless to mention the Feebleness of her Origin, or the Smalness of her Territory; this Country, the stupendious Workmanship of Men's Hands, not able to support half her People from her native Product, is at present the Seat of Riches and Plenty; notwithstanding the continual Expence she is at to keep herself above Water, notwithstanding the several Attacks that have been made upon her by three powerful Monarchies; yet was she able to expend

expend 22 Millions in the War with *France*, from the Year 88. to the Year 97; and in the last War with *France* her Proportion of the Expence was 45 Millions, *viz.* for about 12 Years 120,000 Men every Year, which comes to (reckoning their pay one third less than ours) near 18,000,000 Sterling.

The Charge of their Fleet might be according to their own Account of their Number, which is thus:

	In
	1702 — 55
	1703 — 50
	1704 — 56
All Ships of the Line, be-	1705 — 56
sides a great many small-	1706 — 54
er Vessels.	1707 — 49
	1708 — 53
	1709 — 50
	1710 — 43
	1711 — 40
	<u>Total 506</u>

The Charge at the Rate of 30000 a Ship at an Average, including too their smaller Vessels; will come to

Besides their Subsidies of
 40, 000 *Crowns per An.*
 to the Bishop of *Munster*,
 100, 000 *Crowns per An.*
 from 1704 to 1709 to the
 Duke of *Wirtemberg*, and
 400, 000 *Crowns* to the
 King of *Denmark*, which
 in all may come to

The Extraordinary of the } 65, 861, 821
 War in the *Netherlands*. } *Livres*.

Which, according to
 their way of reckoning }
 11 *Guilders* to a Pound, } 6, 000, 000
 may be about

Besides their Expence of
 Transports and Victualling, } 4, 000, 000.
 which might come in all to }

And the Charge of about ten thousand
 Men in *Spain* and *Portugal* from 1703,
communibus annis, to 1712; 1, 825, 000.
 allowing Twelve-pence *per Diem* to each
 Man: And this, at very low Computa-
 tion, brings in their Expence to above
 45, 000, 000 *Sterling*.

A very great Sum to be got in few
 Years time only by Industry.

England

England too has had her Share in the Benefits of Trade, and her present Affluence is entirely owing to that Commerce she has had with the rest of the World; the many Millions she has expended since the Year 88 have been replaced; and one would think such an Overplus in the Balance of the Account, by the Appearance of the Price of Commodities, that she is become richer than she was at that time.

Her native Commodities have been to her better than the Mines of *Peru* and *Mexico*. Wool, Lead, Tin, Leather, Butter, Cheese, Corn, Tallow, &c. the annual Growth of her Soil, besides her several Manufactures, have been an inexhaustible Fund of Wealth: Yet it is probable that our Negotiations with the rest of the World for other things may bring us three part in four more Profit than arises from our own native Commodities.

Tobacco, Cotton, Ginger, Sugars, Indigo, Rice, and the rest of the Plantation Goods have brought us (besides what was necessary for our own Consumption) a Balance from *France*, *Flanders*, *Hamborough*, *Holland* and the East Countries, of above six hundred thousand Pounds a Year.

Our Traffick with the *East-Indies* for Callicoes, wrought Silks, Drugs, Salt-petre,

raw

raw Silk, Tea, Coffee, and Cottons, Cotton Yarn, *Carmania* Wool, &c. is, over and above our own Use, a great Gain to us.

If the Value sent to *East-India* be 500,000. Pounds *per An.* their Sales have been many Years for above 2,200,000 *per An.* of which 'tis supposed one Million may be consumed at home, the rest exported; out of this we must deduct about 400,000 for the draw-back, then the Balance of the Account will be above 300,000 Pounds *per An.* clear Profit: But then as this Trade has maintained so many People besides, and furnish'd us with what otherways we must have bought of the *Hollanders*, as well as brought down the Price of other *European* Commodities we made use of before our entring into this Trade, it must be said the Nation's Profit is annually above a Million: It is not to be understood, that on the Balance of this Account we receive above a Million of Specie; but if these *Indian* Commodities pay for Goods in these several Parts for which we must have otherways sent Gold or Silver, it is in effect the same thing.

I shall not contend with those that say that this Commerce is not carried without a Loss of Silver to us; but then it must be considered too that we only lose in Proportion

portion to the rest of *Europe*, every Nation bearing some share in the general Loss, and ours perhaps less than any other.

It is not unlikely but that of the Silver that has been brought into *Europe* since 1602, there has been above one hundred and fifty Millions buried in the *East-Indies*. Had that Money been proportionably dispersed over the several Countries of this Part of the World, and our Share treble what it is now; if Commodities and Labour too had risen in a treble Proportion, 'tis no Paradox to affirm that in effect we are as rich now as we should have been under those Circumstances; Gold and Silver being only valuable as they relate to other Commodities.

But as the Riches of a Country does not consist in any Quantity of Gold and Silver, if it cannot keep them, or acquire more; so our utmost Attention shou'd be to preserve those Methods; and I believe I may with Certainty affirm that one way to effect this is to lessen the Price of our Labour, which only can be done by employing the Poor, I mean erecting Work-houses in every Parish, and obliging them that are able to maintain themselves.

It has been computed that above 600, 000 Pounds are rais'd annually for the Subsistence of the Poor in *England*, by which
 2 Account,

Account, at the Allowance of eighteen Pence *per* Week to each Person, we may reckon an hundred and fifty thousand Poor that live by Alms; the Labour of these Persons, one with another, at Sixpence *per Diem* would be worth to the Nation about 1, 350, 000 Pounds *per An.* and how such a Quantity of Labour would operate on the Woollen Manufacture (Spinning and Carding being the chief Employment of these poor People) I leave to every body's Consideration.

Next to the lessening the Price of Labour is to bring down the Price of Wool; it has been in a great measure owing to the Dearness of our Woollen Manufacture, that both *Holland* and *France* have thought it worth their Care to set up Looms of their own, to our great, if not irreparable Detriment; and *France* has so far succeeded, that she seems to have no farther Occasion for our Cloths at all.

And *Holland* has found out this Secret of Trade, to buy up our raw Cloths (if I may be allow'd the Expression) and dye and nap them so much cheaper than we, that they are able to under-sell us in Goods of our own Produce.

The Prohibition of the Export of the *Irish* Woollen Manufacture abroad, and the Duty on *Irish* Wool imported in *England*,
has

has in a great Measure contributed to this; and *Ireland* has for many Years run all Hazards, and sent an annual Supply of Wool to *France*, which has enabled her to carry on this profitable Employ.

We cannot wonder that so necessary a Branch of Trade should not escape the Observation of so wise a Minister as *Colbert*, or the indefatigable *Hollanders*; but why so much Remissness on our Part is unaccountable. And, perhaps, it would not be Prudence to give the Reasons. But we are not to wonder that any Nation takes the Advantage of our Negligence; nor is it impossible that *Spain* herself may, in some time, set up a Woollen Manufacture of her own; so that if we are cut out of this Trade from *Holland*, *France* and *Spain*, in all Probability, they may, in time, supply *Denmark*, *Norway*, *Sweden*, *Russia*, and *Germany*, with what they want, as well as furnish a finer sort of scarlet Drapery for the *Levant* Trade, by which means we should lose the Vent of several Millions *per Annum* *; for so much the Export of our Woollen Manufacture from his Majesty's Dominions have been computed at, over and above the Cloaths sent to *America*. Though this Pro-

* Sir *William Petty*, p. 83. has computed it at 5 Millions, but I believe he has over-rated it.

spect is at a Distance, yet certainly it is worth our Attention, the Possibility of the Event alone might alarm us.

Our Plantation Trade has been a constant Source of Wealth to us, and might yet be improved to a much greater Advantage; our naval Stores might in a great Measure be supplied from *New England*, and we might save a great Part of four or five hundred thousand Pounds *per Annum* in these Commodities, which we bring from *Denmark*, *Sweden*, and the East-Countries. To preserve this valuable Commerce, we ought to have a vigilant Eye on *France*, who has made great Encroachments since our first Settlements there, and watches an Opportunity to divest us of our Properties in that Part of the World.

Perhaps it might be advisable to give some additional Strength to our Forts and Places, to prevent any Surprize that may arise from any Rupture with an Enemy; it being much easier to keep Possession, than to regain it after it is lost.

Our Trade to *Turkey*, which once was esteemed among the best Branches, because it took off so much of our Woollen Manufacture, is in a great Measure gone; and, it is thought, we are obliged to send Money every Year to pay the Balance of our Accounts there.

Italy

Italy and *Spain* have paid us a constant Tribute.

And *Portugal* for many Years has opened her Treasures with a liberal Hand to us.

France has enjoyed a long Advantage of us in point of Commerce, but the Necessities of the Government obliging them to raise the Value of their Money so often has cost them very dear; and it may be a Question, whether some Years the Difference of the Exchange did not pay the Balance of the Trade.

Holland, no doubt, takes off many of our *East-India* Goods, and a great deal of our coarser Woollen Manufacture; but I am afraid, they do us more Hurt in the Markets where they carry them, than Good in the buying them here.

Hamborough and the East-Countries take off the same Commodities, and, no doubt, return Gold and Silver to balance.

Ireland for what she has, or can get out of other Countries, is a constant Stream running into this great Lake.

As for *Newfoundland* and *Greenland* they have been long neglected, but might prove of the greatest Consequence to us.

The *African* Trade might be improved to a great Height, and is a most beneficial Traffick, forasmuch as it takes off chiefly our Manufacture; and except their Gold

Dust, the Commodities brought from thence are but of little Value in that Country.

But before I quit this Subject of Trade I shall speak a little more largely of that of *France*; and I rather choose to do it, because there is no Traffick looked upon with a more malignant Eye than this by many People. Some have affirmed, that the Goods imported out of *France* have amounted yearly to two Millions six hundred thousand Pounds. Sir *William Petty* on the contrary says, that they cannot come to five hundred thousand Pounds *per Annum*. I shall not enter farther into this Dispute, than to declare my Opinion for the latter. But perhaps I may be thought very singular, when I affirm, that I believe, had the Treaty of Commerce, which was ratified at *Utrecht* the 31st of *March* 1713, been the Rule of our Trade with *France*, our Affairs, in respect to that Nation, had been in a better Condition now than they are, or are likely to be; for by the 20th Article of that Treaty, we had Liberty to import in *France* every thing but warlike Instruments, subject only to the Duties they were wont to pay by the Tariff of 1664, except the following Goods, *viz.* the Product of Whales, Woollen Manufactures, Salt-Fish and Sugars, which were provided for in a separate Instrument, *viz.*

The

The Product of Whales were to pay the Duties appointed by the Tariff of 1699.

The Woollen Manufacture the same.

Salt-Fish, the Duties appointed before 1664, and besides 40 Livres *per* Last.

All refined Sugars by the Tariff of 1699, as you may see more particularly in the Treaty itself, which I have subjoin'd in the *Appendix*.

Had we gone on this Plan, we might have better supported that luxurious Traffick, and our Woollen Manufacture must have found Vent in that Country. But high Duties and Prohibitions on our side beget high Duties and Prohibitions on theirs; but there is this Difference between us, that large Imposts deter them from the Use of those Commodities; but on the contrary, our Affectation makes us run the more greedily after them; notwithstanding the great Improvements we have made in a few Years in the Manufacture of Silks, yet we see nothing else in a Drawing-Room but prohibited *French* Silks. Vast Quantities of *French* Wine and Brandies come into our Custom-Houses; for all the great Duties, and perhaps, as much more is run in upon us, so that I don't find that our high Imposts and Prohibitions save us any thing at Home, the Damage they have done us Abroad is but too well known.

The Policy of *Holland* might instruct us not to prohibit Commerce of any Kind, or load any Branch of it with Duties which makes it impracticable. A trading Nation should be an open Ware-House, where the Merchant may either buy what he pleases, or sell what he can. Whatever is brought to you, if you want it not, you will not purchase it; if you do want it, the Largeness of the Impost does not keep it from you. However, this is certain, that a prudent People will always keep those Gates open, that let out their Manufactures or native Commodities. But to do any Act which may draw upon you the Loss of the best Branch of your Manufacture, is wretched Policy. If this has not been our Case, I wish it never may; but this one Thing I am sure of, that there hardly ever was a more critical Juncture in *England*, to look into the several Branches of our Trade, than the present.



C H A P. II.

The State of the Nation in the Year 1688.

N order to have a more perfect Idea of our present Condition, it will be necessary to look back on the Situation of our Affairs, about the Year 88 ; and if the Accounts of those Times meet with any Credit, they may be a Foundation of greater Certainty for me to work upon.

The Year above-mentioned was, perhaps, the Time when *England* was in Possession of the greatest Quantity of Wealth she ever did enjoy. She was then enriched with the Treasures she had been accumulating for about one hundred and fifty Years; for so long we may date the Progress of Trade in this Nation ; nor had she been at any great Expence, but what was made within herself for a long Series of Time.

The

The Reprisals made on the *Spaniards*, under *Drake*, *Rawleigh*, and *Essex*, might over and above bear the Charge Queen *Elizabeth* was at upon the account of the *Spanish* Invasion; and though the *Russia* and *East-India* Trade were then in their Infancy, yet these were the Foundation of a vast future Profit, as the *Hanse* Towns, under an entire Submission to *England*, were an immediate and a great Advantage to her present Commerce.

During the pacifick Reign of King *James* the First, this Nation had little else to do but to receive the Benefits of her Traffick; her extraordinary Expences were very small. That Prince indeed attempted to restore the *Palatinate* to his Son-in-Law, but as his Aids were feeble, so his Attempts proved ineffectual.

The latter Part of the succeeding Reign was attended with many Calamities, but still the Expence was chiefly within ourselves; our Trade went on, and the extraordinary Charge of equipping so many and so great Fleets was made up by the Security of our Commerce, and subduing our Rivals in naval Power, the *Dutch*. The Conquest of *Jamaica* has well answered the Expence of that Expedition, and *Spain* paid dear for the War she declared afterwards
against

against *England*, in her Resentment of that Indignity.

From the Year 1659. to the Year 1688 we increas'd in Wealth of all Kinds. *Holland*, after two naval Wars, yielded us up the Dominion of the Ocean, and our Trade extended itself every where.

It has been observed by an ingenious Writer *, " That the Rental of *England* " was in the Year 88 about fourteen Mil- " lions *per Annum*; that the Customs yield- " ed Neat to the Crown, from *Michaelmas* " 1671 to *Michaelmas* 1688, —9,447,799 " Pounds, which at a Medium for seventeen " Years, is 555,752 Pounds;" and if we suppose the Duties at an Average ten *per Cent. ad Valorem*, shews our Imports at that Time to be for above five Millions *per Annum*.

As to the Specie of the Nation, the re-coining three Years afterwards makes that Sum almost apparent, as to the Silver; for from 1691 to the 14th of *August* 1697, there was brought to the *London* and Country Mints eight Millions, four hundred thousand Pounds, of clipt, light, and hammered Money, and in all Probability there might be a great Sum standing out. The mill'd

* *Dav. Essays.*

Silver coined in King *Charles* the Second's and King *James* the Second's Reign might be two Millions, two hundred thousand Pounds, so that we may suppose, subsisting in Silver Money at that Time, about 11 Millions.

The Gold we may reckon thus,

Coin'd in Queen <i>Elizabeth</i> 's Time, who reformed most of the old Specie,	}	1, 500, 000
--	---	-------------

In King <i>James</i> the First's Time,	}	800, 000
--	---	----------

In King <i>Charles</i> the First's,		1, 723, 456
-------------------------------------	--	-------------

And in the Reigns of King <i>Charles</i> the Second and King <i>James</i> the Second,	}	6, 500, 000
---	---	-------------

In all—— 10, 523, 456

But allowing for Deficiencies and Wastes of all Kinds,	}	3, 000, 000
--	---	-------------

There will remain—— 18, 523, 456

And there is Reason to believe this was the State of the Nation, in Respect to Trade
and

and Money in the Year 88 ; and so large a Quantity of Specie gained in a Country of Traffick necessarily supposes Wealth of all other Kinds.



CHAP. III.

The present State of the Nation, allowing for the Losses sustained in the two last Wars with France.



Efore I shall enter upon the Description of the present State of our Affairs, I shall endeavour to find out what Losses we may have sustained since the Year 1688, in the two consuming Wars with *France*, and what Advantages we may possibly have obtained since ; the Balance of which Account must be allowed to be our present Situation. And though I have not all those Advantages which are necessary to come at Exactness in so painful an Enquiry, but am forced to take what I can find, as I can collect them from the publick Accounts, yet it does not entirely discourage me, hoping I shall, even with these Materials, give such a general Notion of the Affair I propose, that shall not be absurd ; and I must claim that com-

mon Indulgence which is not denied to Men who take Pains to little Purpose, to excuse their small Errors. The Account of our Losses I must begin from the Year 88, and that will first appear from the Customs which fell in the Articles of Tonnage and Poundage, from 510,769 *l.* 13 *s.* which was the neat Produce at that Time, to 416,517 *l.* in the Year 89: So that in one Year there was near 100,000 Pounds sunk in the Customs; but to the Year 1695 it was still worse, and in a Medium for seven Years, the Tonnage and Poundage fell about 138,707 *l.* *per Annum.*

This visible declining in our Trade was not only occasioned by the falling off of the Adventurers, but that both our Exports and Imports became in a great Measure a Prey to our Enemies; for though upon an exact Computation of the Number of Guns taken or destroyed in the *French* Ships of War, from the Year 88 to 97, their Proportion was above double the Number more than ours, *viz.* 2244 to 1112, yet our foreign Trade being above treble the Value of that of *France*, our Reprisals must have been at least two Thirds less upon their Merchants Ships, considering too that their Privateers must be much more in Number than ours, as the Temptation was so much greater; so that upon the whole, the clear
Loss

Loss of the Nation, upon the Caption of our Merchandize alone, might be 1,800,000 Pounds.

Which is to be understood thus: That the Loss of our Goods, over and above what we took from the Enemy, might arise to the abovementioned Sum.

But though this may be a Loss to particular People, yet I shall not reckon it a national Loss, only in Proportion to those foreign Goods which we re-exported again, and for which we paid Money Abroad. And in this Case it is a hard Matter to settle any Foundation, to make even a probable Conjecture of the Quantum of our Specie or Bullion which might be lost on this Account. Therefore I shall leave it to the Opinion of other People.

The Expence of our Troops in <i>Flanders</i> , consisting of about 70000 Men annually, in ten Years, including Officers Pay, allowing 12 Pence a Day per Man,	}	12, 775, 000
---	---	--------------

The extraordinary Expence of Materials and naval Stores, from <i>Denmark</i> , <i>Sweden</i> , and the East-Countries,	}	2, 500, 000
		The

The Subsidies paid to foreign Princes in Alliance with us, } 2, 000, 000

I purposely omit the Charge of our Troops in *Ireland*, and the Expence of Victualling and Transporting them, because that is no national Loss, the Expence being within ourselves.

But there are some other Circumstances that swell this Account, *viz.* the Charge of remitting this Money, which at 3 *per Cent.* against us, which it was in *Holland* in the Year 1695, come to near } 600, 000

And the foreign Share of the Interest and Premiums on our Funds, from the Year 1690 to 1702, *viz.* twelve Years, which at an Average in Proportion to the Debts of 14,000,000, *l.* (which was the Sum we owed at the Conclusion of the first War with *France*) might be about a sixth Part, } 1, 000, 000

Had

Had the whole Debt been contracted all at once in the Year 1690, the Foreigners Proportion had been a great deal more, but as it came by Degrees, though the Interest was more than *5 per Cent.* yet I cannot think that more fell to their Share than the above-mentioned Sum. And notwithstanding when the Exchange is against us in any Country, it does not only operate in relation to Remittances of Money, but to the whole Traffick, *viz.* If the Exchange between us and *Holland* be *5 per Cent.* against us, the Commodities of *Holland* will rise in Proportion to the Difference of the Money, and for every 100 Pounds worth of Goods, we must send over 105 Pounds in Money or Goods of that Value, and this in Respect to us. *Holland, Spain and Italy* must run the Account very high, yet under this Disadvantage (and even that which was worse, the taking of our Ships) by the Money poured in upon us by Foreigners to be placed in our Funds, and the extraordinary Demand for our Commodities, our Specie was not diminished in any Proportion to our Expence.

So that if upon the whole
 the Nation's Loss might be
 in the first War with *France*
 about

18, 875, 000.

To

To balance this, the extraordinary Demand for our Cloth, Leather, Beef, Pork, Corn, Lead, Tallow, Salt, Fish, &c. might probably in these ten Years War arise to	}	5, 000, 000
--	---	-------------

The Money plac'd in our Hands by Foreigners,	}	2, 000, 000
--	---	-------------

The Balance then will be 11, 875, 000

But sure no one will say that we lost twelve Millions of Specie by this War: How then can we account for this visible Expence but by our Trade, which spite of all those Disadvantages has broke thro' and gain'd us many Millions? so that I am of opinion that notwithstanding the great Expence of that War, the Nation had not five Millions less in Specie at the End of it than she had before it began.

And I do not doubt but it may be made appear that the Balance of Trade, even during the time of this War, was 1, 500, 000 *per An.* in our Favour; and this will be thought credible, when People shall know, that in the last War with *France* and *Spain*, when our Expence was much greater, as our Arms were more extended, from

the Year 1702 to 1712, the Balance of Trade was in our Favour above two Millions *per An.* and for a Proof of this I will only appeal to the Custom-House Books, and the common Valuation of the Goods exported and imported.

The Accounts taken of those Years by them whose Business it is to make that Enquiry, are as follow,

In	
1702 —	1, 507, 948
1703 —	2, 698, 232
1704 —	2, 570, 109
1705 —	2, 377, 335
1706 —	3, 650, 570
1707 —	3, 266, 631
1708 —	3, 104, 988
1709 —	2, 725, 266
1710 —	3, 100, 868
1711 —	3, 109, 755
1712 —	3, 583, 206

So that allowing a great Abatement for false Entries, here is room enough for the greatest Sceptick to admit of a large Balance, over and above the necessary Expences of the War.

The Peace concluded in 1697 gave us a little breathing time, and by the Encrease
 F of

of our Trade we might be supposed in those five Years to regain all our Losses.

And tho' perhaps this Computation may be thought to run very high, yet I can account no other way for those vast Sums that were raised in the subsequent War with *France* and *Spain*: Besides, whoever will look into the Custom-House Books will be surpris'd to see such a Rise in the Duties paid there as was from the Year 1695, when the Tonnage and Poundage was but 362, 707.

And the Year 1701, when the Customs came to 1, 608, 645.

And tho' it may be said that this high Duty is occasioned in some measure by the additional Imposts, yet it must be allow'd too that there has been a great Increase of Trade since the Year 1695, and that even during the last War with *France* and *Spain* the Duties one Year with another amounted to about 1, 250, 000.

It may perhaps give Satisfaction to some to let them see what the Payments from the Customs into the Exchequer have been from 1701 to 1723 inclusive.

Payments

*Payments into his Majesty's Exchequer on
the several Branches of the Customs and
on Seizures for the following Years.*

Customs.				Seizures.			
Years	l.	s.	d.	l.	s.	d.	
1701	1,608,645	5	2 $\frac{3}{4}$	12,911		2 $\frac{1}{2}$	
2	1,278,406	1	3	29,887		11 $\frac{1}{2}$	
3	1,195,465	12	5 $\frac{1}{4}$	16,651	6	6 $\frac{1}{2}$	
4	1,392,997	9	2 $\frac{1}{2}$	11,406	15	5 $\frac{1}{2}$	
5	1,138,246	3	6	15,304	5	8 $\frac{1}{2}$	
6	1,311,856	1	11 $\frac{1}{2}$	24,561	14	6 $\frac{1}{2}$	
7	1,192,081	3	11	16,427	16	5	
8	1,348,536	15	5 $\frac{1}{2}$	9,402	15	7	
9	1,257,332	19		13,671	4	6 $\frac{1}{2}$	
10	1,208,291	19	6 $\frac{1}{4}$	14,134	16	10	
11	1,253,595	14	10 $\frac{1}{4}$	12,318	17	7	
12	1,315,423		7 $\frac{1}{2}$	11,443	14	7 $\frac{1}{2}$	
13	1,541,170	4	5 $\frac{1}{2}$	15,729	5	6	
14	1,714,139	9	11 $\frac{3}{4}$	18,231	5	11	
15	1,509,178	16	1 $\frac{1}{2}$	18,883	6	11	
16	1,698,545	17	5 $\frac{1}{4}$	21,034	5	10 $\frac{1}{2}$	
17	1,768,932	18	1 $\frac{1}{2}$	25,386	10	7 $\frac{1}{2}$	
18	1,760,313	6	5 $\frac{3}{4}$	28,476	8	5	
19	1,591,050	17	8 $\frac{1}{4}$	32,838	14	7	
20	1,519,255	16	2 $\frac{3}{4}$	34,087	19	8	
21	1,516,658	17	4	41,553	5	1 $\frac{1}{2}$	
22	1,558,027	10	9 $\frac{3}{4}$	35,346	6	2	
23	1,581,371	18	6	36,437	18	6 $\frac{1}{2}$	
Total 33,258,523 19 10 $\frac{3}{4}$				496,126 13 4			

And this perhaps might be the State of the Nation in respect to her Specie till the breaking out of the second War with *France* in 1702.

And here I would willingly draw a Veil over those Times, but that the Glory and Success of our Conduct has laid the Basis of everlasting Freedom, and clear'd our Minds from any Apprehensions we might have had of being Vassals to *France*, or, what is the same thing, the Subjects of arbitrary Power.

Never was a War carried on with greater Vigour, which of Necessity made it more expensive ; but the greater the Expence has been, the more to be admired are the means of recovering ourselves ; it shews the Riches of our native Product, great Industry, and an admirable Application to Commerce ; it shews such Vigour of Constitution that nothing can hurt us but our own selves.

The Net Money applied to the Subsistence only of our own Troops in *Flanders*, at an Allowance of Twelve-pence a Day a Man, one with another, Horse and Foot, and Officers pay included, comes out thus :

In the Year 1701 in <i>Flan-</i>	}	182, 500
<i>ders</i> ten thousand Men,		

In

Brought over { 182, 500

In 1702 made to 40000 } 730, 000

Men

In 1703 added 1000 Men } 912, 500
more

In 1704 and 1705 *Ditto* { 912, 500
912, 500

In 1706 more added a- } 949, 000
bout 2000

In 1707 more added a- } 1, 010, 750
bout 3390

In 1708 more added a- } 1, 065, 500
bout 3000

In 1709 more added a- } 1, 238, 875
bout 9500

In 1710 more added a- } 1, 275, 375
bout 2000

In 1711 *Ditto* 1, 275, 375

Total 10, 464, 875

Contingencies 1, 107, 096
To

To the King of *Denmark* } *Crowns*
 for Subsidies in Bank Mo- } 1, 575, 000
 ney from 1701 to 1711, 03

1701 to 1710 to the Land- }
 grave of *Hesse-Cassel* in the } 350, 000
 whole Subsidy

1703. To augment his }
 Troops, and march them in- } 347, 124
 to *Italy*,

1705. Bread, Waggon, }
 Hospitals, &c. for his Troops } 154, 041
 in *Italy*,

To the Elector of *Triers* }
 from the Year 1703, } 225, 000

1703. To the Duke of }
Savoy, } 5, 280, 000

1703. To the King of }
Portugal, } 5, 444, 444

1705. To the King of }
Prussia, } 1, 394, 820

1706. For Bread and Fo- }
 rage for 12000 Men in } 860, 231
Flanders,

Total Crowns carried over 15, 630, 360
 Brought

Brought over 15, 630, 360
 1704. To the Elector of }
Palatine, 160, 000
 To the King of *Prussia* two }
 thirds of 70,000 Crowns. 46, 666½

15, 837, 026½

Of our Money perhaps 4, 000, 000

Besides to the King of }
Spain for four Years 150,000 } 600, 000
per An.

Besides the ordinary Sub- }
 sidy of 640,000 Crowns per }
An. to the Duke of *Savoy*, he } 50, 000
 had given to him in 1706,

And in the Years 1709, }
 1710, 1711, every Year } 300, 000
 100,000 Pounds,

So that the Money remit- }
 ted to Foreigners clear on }
 this Account of the War a- }
 lone in *Flanders*, over and } 16, 787, 026½
 above all Expences of Trans- }
 portation and Victualling, }
 amounts to about

I shall

I shall be excus'd for placing to the Account of the War in *Flanders*; the Subsidies of the King of *Portugal*, and *Spain*; and Duke of *Savoy*, but as they are omitted elsewhere, it will be the very same thing in the general Account.

The Estimate of the Number of Men we had in *Spain* is thus :

In the Year 1705 <i>English</i>	}	91, 250
5000,		

In 1706 augmented with	}	167, 350
above 4000,		

<i>English</i> and <i>French</i> Refugees added above 3000	}	316, 050

In 1708 <i>Germans</i> and <i>Italians</i> 4360, more <i>Germans</i>	}	614, 050
about 5500, <i>Portuguese</i> and		
<i>Palatines</i> about 7000, in all		
about 16,700,		

In 1709. <i>English</i> , <i>Germans</i>	}	814, 800
and <i>Italians</i> added 11000,		

In 1710, <i>Germans</i> , <i>Italians</i>	}	887, 800
and <i>Portuguese</i> added 4000,		

In

In 1711, *English* and *Imperial* Dragoons added 9000, } 1, 052, 050

In 1712 } 1, 052, 050

Total 4, 995, 400

In *Portugal* there was sent }
in 1703 8000 *English* } 146, 000

In 1704 more *English* sent }
1810, which were augment- }
ed from time to time till }
1711, when they were 9504: }
So that at an Average *Eng-* }
land might pay in *Portugal* } 1, 396, 125
for about nine Years 8500 }
Men *per An.* So that the }
Expencc will be, at Twelve- }
pence a Man a Day, the Pay }
of Officers, and all Charges }
included, }

So that the total Expencc }
of the War, as it relates on- }
ly to the bare Subsistence of } 24, 168, 871
the Troops with the Subsi- }
dies comes to }

I omit the Charge of Ships for *Spain* and *Portugal*, which came to 6,540,966, as likewise the Charge of Transports on this Account, which came to 1,336,719 besides the victualling the Land Forces 583,770.

I omit in this Account too the Charge of the Fleet, which was thus:

	In	
	1702	74
	1703	79
	1704	74
	1705	79
Ships of the Line	1706	78
	1707	72
	1708	69
	1709	67
	1710	62
	1711	59
	Total	713

Which at an Average of }
 30000 a Ship, will come to } 21,000,000
 above

But

But as this Expence is chiefly within our selves, and part of it remains a Debt upon us now, I shall only consider it in that Proportion that Foreigners have to our publick Funds; my Design being chiefly as near as I can to find out what Quantity of Money or Bullion we may probably have gain'd or lost since the Year 88.

I must however add to our Loss the extraordinary Ex- pence of naval Stores for ten Years, which in such great Fleets must amount to at least	}	3,000,000
---	---	-----------

And then the Specie ac- countable for in respect to the Consumption for this War will be	}	27,168,871
---	---	------------

I must add to this Account the Charge of remitting a- broad the Sum above men- tion'd of	}	24,168,871
---	---	------------

Which at 3 per Cent. comes to about	}	720,000
--	---	---------

I must also add the Interest Money that has been drawn out from our Funds by Foreigners from the Year 1702 to the present time, being twenty two Years; and as that has been an increasing Debt of about forty Millions since 1701, of which it is suppos'd they generally had a sixth part; it may be reckoned at a Medium at 150,000 *per An.* which with the same Proportion of the Debt of fourteen Millions contracted in the preceding War might be in the whole 250,000 *per An.* for twenty two Years, which comes to

5,500,000

Which added to the rest }
amounts to 33,388,871

To balance this we have }
received of Foreigners about 4,000,000

The Success of this War was near equal to the last with *France* at Sea; for besides those Ships that were destroy'd at *Thoulon*, the *French* lost in their Ships of War 1498 Guns more than we, *viz.*

Our

Our Loss was
The *French*

1596
3094

And the Reprisals made upon *Spain* this War might go a great way to make good the Losses our Merchants may have sustained from the *French*.

The extraordinary Export
of our own Commodities,
viz. Wool, Cloth, Corn,
Lead, &c. for about ten
Years } 5,000,000

So that to recover the Mo-
ney we lost in the last War
with *France*, we must have
gain'd in these last twelve
Years upon our own Com-
modities exported a Ballance
of two hundred thousand
Pounds *per An.* } 2,400,000

And a Million *per An.* up-
on the Re-exportation of fo-
reign Commodities for twen-
ty two Years past one Year
with another } 22,000,000

I only mention this Manner of our Ac-
quisition, to shew that even these Sums
were

were sufficient to defray our Expences, but there can be no doubt but our Gains were abundantly more.

Nor can the doubt of there being 15 Millions of Specie now, in the Kingdom, be supported by any Argument; on the contrary, there is the strongest Reason to believe there is much more, which I shall endeavour to shew in its proper Place.

As to the rest of the Nation's Stock, *viz.* Lands, Houses, Furniture, Plate, Shipping, &c. it is no doubt increas'd in Value one fifth more than in the Year 88.

But perhaps it may be demanded if there is but fifteen Millions in Specie now, how is the Nation richer than it was in the Year 1688, when there was in Specie 18,523,456? To which I answer, that in the first Place our Commerce being much greater than it was at that Time, the frequent Exportation of Silver into some Countries, either to pay our Balances, or buy Goods which bring us in a greater Quantity from others, makes the Merchant rather choose to keep Bullion by him than carry it to the Mint, from the Difficulties and Expence that attend the Exportation or Melting coin'd Silver.

Secondly, The great Increase of Jewels, Pictures and antique Statues, which may

very well be called Riches, because they will always produce Money.

And as these Effects have cost great Sums, they must be considered as the Nation's Profit, from their constant and received Value amongst Mankind.

And Thirdly, the great and almost universal Increase of Plate in private Houses as well as publick since that Time; and this will appear in a clearer Light from the Plate Duty, which has, at Six-pence an Ounce, from the first of *June*, 1720, to *June* 24, 1724, produc'd 63,465 *l.* 16 *s.* and 2 *d.* which is above fifteen thousand Pounds *per An.* but if we should suppose the same Quantity has been fabricated since 1690 every Year, it would at 5 *s.* and 6 *d.* an Ounce come to 5,830,000. And if we should deduct a third part for Deficiencies and being worked over again, it comes to near four Millions.

I shall not mention here the Operation of our Paper Effects on all Commodities, because I intend to treat of that Matter in another Place.

But I hope these Reasons will sufficiently shew that the Nation is not only nominally more valuable than it was before the first War with *France*, but substantially richer.



C H A P. IV.

Of the Circulation of Money.

HERE is hardly any one will doubt, but the first Traffick in the World was carried on by bartering of Commodities one with another, and in the Infancy of the World, where Peoples Wants were few, and their Ideas narrow, and confined to the Objects around them; this sort of Commerce was sufficient for the Necessities and Comforts of human Life; but when the Insolence of Power divested Men of their Properties, when the Estates of Millions came into a few hands, then Industry and Invention by degrees found out all the Conveniencies and Delicacies of Life; the lazy Usurper parted with his Estate to gratify his Appetites, and in a series of Time the Successors of those very People who had been spoiled of their Properties were restor'd to them again. But this Circulation could never have been in this manner, but for the Invention of Money, whereby

whereby the industrious Man is enabled to lay by so much of his Gains as in time arises to the Purchase of a great Estate.

When Commerce came to be more extended, the Difficulties that arose from Bartering made People agree to fix a certain Value upon Gold and Silver, and these Metals (being scarce, lying in a little Compass, and not being much subject to Rust and Diminution by Use) became the Standard of the Value of other Commodities.

For Instance, if so much Cloth is worth so much Gold or Silver in *Smyrna* or *Lisbon*, and so much Silk, or so much Wine, is worth the same Quantity of Gold or Silver, then the Merchant in *Smyrna* or *Lisbon* will exchange so much Silk or Wine for so much Cloth, because there is a greater Demand for Cloth in *Smyrna* or *Lisbon*, than for Silk or Wine; but if the same Quantity of Silk or Wine was worth more Gold and Silver than the same Cloth, the Demand for the Cloth would be no Temptation to him to purchase it at that Rate.

All Commodities have their Value from the Demand for them. A Scarcity of any one Commodity and a Demand for it will raise the Value even where there is a Scarcity of Gold and Silver. But though Gold and Silver be the Measure of Goods, yet they have often varied according to their Quantity.

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Thus

Thus tho' in proportion to the People the Demand for Wheat might be the same in Queen *Mary's* Time that it is now, yet then Wheat was at 7 s. and 6 d. *per* Quarter, which is now above four times as much. This Difference can only arise from the Quantity of Gold and Silver which has less'n'd the Demand for them.

There can be no doubt but in 1750, or thereabouts, when we may suppose the whole Debt paid off, and all the Paper Effects annihilated, and consequently the public Taxes abated, all Goods will fall in their Price; and there are two Reasons for this way of thinking.

The first is, that when these Paper Effects (which now have the Operation of Money) are sunk, their Operation must cease of Course; for as the Value of Commodities has risen by the Increase of Gold and Silver within these 150 Years, so wou'd they of Necessity fall in their Price, if our Gold and Silver were considerably diminished; the Consequence must be the same if there is a Diminution of that which has the Operation of Money.

The second Reason is very obvious; for as Goods that are tax'd bear a Price in proportion to the Impost upon them, when they are free from this Incumbrance, there can be no Reason, why they should
not

not come to their natural Value ; (if I may use the Expression,) for Instance, if the Duty on Malt be 6 *d.* a Bushel ; when this Duty is taken off, Malt of Course should be 6 *d.* a Bushel cheaper than it was before : The same thing must be said of all other Commodities that are taxed.

And this Difference does not only relate between Gold and Silver, and other Commodities, but also to one another. The Quantity of Silver, by the opening of the Mines of *Peru* and *Mexico*, being greater than Gold, gave an extraordinary Value to Gold ; and hence it was that in the eleventh of King *James I.* the Unity-piece of Gold was rais'd from 20 to 23 *s.* On the contrary, a few Years ago the Demand for Silver was so great, that we were obliged to lower the Value of Gold ; and, in all Probability, in a little time we shall think a farther Diminution absolutely necessary. But it is not alone the Quantity of Gold and Silver that lessens the Demand for them, but the Circulation too ; a great Trade, making a greater Demand for Industry and Commodities than Money, lessens its Value, and consequently raises the Price of the other two.

Trade and Credit, as they are inseparable in themselves, so they are the Parents of Circulation : Money without these would be but a dead Treasure in few Peoples Hands,

and consequently the Community little the better for it. *France* is to *England* as eight to three, their Specie perhaps proportionable, yet there is a greater Shew of Money in *England* than in *France*; but if the Circulation of *France* were equal to that of *England*, then she would appear of course so much richer than *England*.

'Tis a stupendious Thought to consider the Money-Transaction of this Kingdom; perhaps it may not be unacceptable to give some Account of it. I believe I shall be allow'd to compute the Rents of this Kingdom at

20,000,000

And upon the Supposition that the Lands of *England* are not tax'd at half the Value, this Account may be near the Truth.

The Duties on the Customs produce *per Annum* about

1,600,000

Which upon an Average of 30 *l. per Cent. ad Valorem* shews our Imports to be for about

5,300,000

Besides

l.

Besides our Re - export, }
 which may be about } 1, 500, 000

The rest of the Duties and }
 Funds } 2, 199, 328

If it is allowed me that there
 are eight Millions of People
 in this Nation, I believe I shall
 not exceed if I reckon the Ma-
 nufactures consum'd at Home
 to amount to *per An.* } 16, 000, 000

I shall not mention the In-
 terest arising from mortgag'd
 Land, that being computed be-
 fore in the Rental; but I must
 take notice of the Mortgages
 themselves, because they are
 often transferr'd, and may be
 reckon'd Money in Circula-
 tion; and these have been
 computed at a fifteenth part
 of the Land, which will come
 to about } 26, 000, 000
 Principal Money.

The next thing I shall mention is the great
 National Debt;

And this is about } 53, 000, 000
 2 The

The Malt produces more a- }
 bout } L.
600,000

So that the whole Money- }
 Transaction of this Nation } 126,199,328
 seems to be for about }

And all this is carried on } 15,000,000
 with no more than } Specie.

In order to make a proper Judgment of this Affair, it will be very material to know what Quantity of Money may be necessary to carry on the Business of the Nation.

Sir *William Petty* was of an Opinion in this Case, that so much Coin was necessary, as would pay a half Year's Rent of all the Lands, a Quarter's Rent of all the Houses, a Week's Expence of all the People, and a quarter Value of all exported Commodities; to which Mr. *Davenant* adds an eighth Part of the Value of our Manufactures, (omitted by Sir *William Petty*) which when he wrote about the Year 1698, he computes thus.

Half a Year's Rent of all the Lands 5,000,000

A Quarter's Rent of the }
 Houses, &c. } 1,000,000
A Weeks

A Week's Expence of all the }
 People } 769,230

A Quarter Value of exported }
 Commodities } 1,500,000

An eighth Part Value of Ma- }
 nufactures } 1,000,000

Total 9,269,230

But since their Time, the Rents, the Trade, and the Expence of the People have considerably increas'd, as I have already shewn; and by comparing these Articles (which I believe have not been exaggerated) with those of Mr. *Davenant's*, it will be easily allowed me, that there cannot be less Specie to carry on the Business of the Nation than 15,000,000

I must own this Account lies open to one Objection, which is, that these several Sums, tho' considered separate, must in their Rotation be often blended, and consequently some part of them be reckoned twice over.

But this Objection will have the less Force when we consider, that only to pay
 one

one half Year's Rent of the Land and Publick Debt it will require at least 11,250,000.

So that upon this Supposition, there will be left only two Millions and a half to carry on all the rest of the Nation's Business without any Allowance for private Hoards.

And perhaps I may be particular in saying, the Reason of this prodigious Circulation is the Debt itself; for the large and regular Interest that has been paid on these State-Actions have exhausted all private Hoards, and made these Securities become like a new Species of Money, current in every body's Hands.

People are by this means enabled to make a greater Expence, and as the Fashion of Life extends it self, and affects mediately or immediately almost every Branch of Trade, 'tis not wonderful to see that Increase of it. A great Consumption of Commodities generally attends Affluence, and a loose Oeconomy is often the Effect of great Plenty.

This large and regular Interest has not only made a Circulation amongst one another, but has drawn great Sums from Foreigners, which has help'd to ballance the Losses of our Specie, we sustain'd in the two last Wars with *France*.

It

It must be admitted we owe this Money, and the Interest is an annual Loss, as well as the Principal will be a real one when paid off.

But supposing we should state this Account at Six Millions, which is about the ninth part of our Debt, the Interest of this Sum, 300,000 *l.* *per Ann.* yet I will not allow this is all lost to us: On the contrary the Disadvantage may not be half so much as it appears to be; for if A. the Government, borrows of B. C. D. 100 *l.* a piece, at 5 *per Cent.* Interest; if A. in Trade employs 100 *l.* and gains 10 *per Cent.* this Loan is an Advantage to him; and tho' this Employment cannot be suppos'd to be made of all the Money lent to us, yet if a sixth part could be thus us'd it would reduce our Loss from 300,000 *l.* to 140,000 *l.* *per Annum.* Which considering our vast Traffick is inconsiderable.

Again, this large and regular Interest has made a Paper-Coin current among us, which serves the Office of twenty times the Specie; that is, an Annuity of 5 *l.* *per An.* is generally taken for 100 *l.* for though no body is oblig'd to take Annuities in Payments for Money, yet they are seldom refus'd; and if they are, and Money requir'd, this Money comes at last to Market to purchase such Securities, and it is by this means

the money'd Man always find a ready Interest, and consequently is enabled to live at greater Expence, which must necessarily operate an Advantage to all that part of the Society that have to deal with him, a Demand rising from the Consumption of Goods certainly raising the Price of them.

And this is likewise a great Advantage to the trading Part of the Nation, who have an Opportunity of immediate Interest for their Money till they can employ it in Traffick.

This quick Circulation of so many Millions gives the Profits of our Trade and Industry to the whole Society; for the Duties on the Goods of B. C. D. Merchants, go towards paying the Interest of Money due to F. G. H. who have Occasion for the Product J. K. L. Landed Men, which puts a greater Value on their Estates, and consequently the Tenants of J. K. L. are Gainers too in their Proportion, which enables them to give their Labourers a Part of their Profit.

And thus it is, the Price of Labour is rais'd, the Demand for Goods being great, the Dealers strive to excel in Quality or Quantity, and consequently outbid one another in the Price of Labour.

And by this means we may account for the Difference of these Times, and what they might be a Hundred Years ago, because

an Addition only of Four Pence a Day Expence to every Individual, reckoning Eight Millions of Souls in *England* and *Wales*, amounts to above Forty eight Millions *per Ann.* spent now more than at that time. But without doubt the Increase of People in this Series of Years has been very much ; for in the ordinary way of Reckoning it is judg'd that in one hundred Years a Nation increases one half in Number. Mr. *Dave-*
nant says, in his *Essays*, Part the 2^d, and Page 41. “ That such as are vers'd in
 “ Political Arithmetick have sufficient
 “ Grounds to believe, that the People of
 “ *England* were about 300,000 more in
 “ 1688, than they were in 1665. not-
 “ withstanding the last great Plague.

Sir *William Petty* says, that a Nation will double their Number in Two hundred Years, which must be always understood thus, that it must be exempt from the Ravage of War, the Destruction of Pestilence, or being drain'd for distant Colonies.

And indeed, whosoever has the least shadow of Reason must allow this Truth ; for were it not for such an Increase, it would be impossible to account for those Numbers which are now in the World (notwithstanding the Destruction of Wars, Earth-
 quakes, Inundations, and the Havock of

Plagues) from so small an Origin as *Noah's* Family.

And it is to this as well as to the Quantity of Gold and Silver, that the Lands of this Kingdom have increas'd so much in Value, Numbers of People making great Demands for the Product of the Earth, and putting Men upon the Necessity of cultivating and improving for their Sustenance.

But 'tis observable that Corn has not risen in Proportion to the Price of Land, or other Commodities, within these fifty Years, a Bushel of Wheat being near the same Value now it was then : But by a new-fashion'd Industry the same Quantity of Ground is more productive, and the Tenant has his Advantage in something else.

And had this Nation double the Riches they have, the Demand for Corn might not be greater than it is now, and consequently not of more Value ; nor indeed can it be of more Value, unless in Times of Famine, because the East Countries would furnish you with any Quantity at a little more than at the present Price.

Numbers

Numbers of People always make a great Expence, a great Expence of course a great Circulation; but when you add Credit to them there is no end of the Account; thus we see in *England* Fifteen Millions of Specie serve to answer a Debt of Seventy nine Millions, and perform the Office of

I am inclin'd to believe, that notwithstanding what has been expended in the two last Wars, there is more than 15,000,000 of Money; for the Coinage from the Beginning of *Queen Ann's* Time has been for above Ten Millions of Gold and above Five hundred Thousand Pounds Sterling of Silver, as may be seen in the following Account of the Quantity of Gold and Silver that has been Coin'd from 1701, to 1724 inclusive.

And considering the whole Extent of our Trade, which, I have already shewn, has even in the Time of the most expensive War brought us in so large a Balance, there is little Reason to think our Bullion or Specie has not rather increas'd since the Year 1688.

As

As for the Waste which may be sup-
pos'd to have been made in the Fabrication
of Gold and Silver into Utensils and Lace,
the Allowance must be but small. Lace is
generally burnt, and the Silver brought back
again and put to the same Use, and the Pro-
portion of Gold is so very little, that half
an Ounce of Gold will gild a Wire
370,200 Feet long.



GOLD and SILVER Coin'd between 1701 and 1724 inclusive.

	GOLD	SILVER
	£	£
1701	26742	37477
1702	3642	114
1703	34	718
1704		4007
1705	104	429
1706	537	932
1707	607	1174
1708	1010	3751
1709	2468	25423
1710	3716	817
1711	9324	24768
1712	2855	1784
1713	13137	2333
1714	29526	1566
1715	39090	1643
1716	23765	1650
1717	15186	948
1718	3010	2295
1719	14745	1756
1720	18959	7832
1721	5832	2313
1722	12728	1983
1723	8306	48099
1724	5860	1652

Total £ 241183 £ 175464

And tho' in a Nation of great Commerce the Fabrication of Gold and Silver in the Mints may not be an exact Rule to measure those Commodities by, because the Difficulties that attend the Exportation of coined Money make People to keep Bullion for their Traffick; yet it may be allowed me, that were there more Silver or Gold Metal than could be us'd in Traffick, they wou'd naturally be brought to the Mints; so without doubt we may conclude a Nation gains by Trade, when we see a great Stock of Specie in Currency; on the contrary we may conclude there is something wrong in that Oeconomy which makes a Scarcity of Money, especially Silver, which is the Measure of the Commerce of almost the whole World.

The great Scarcity of this Commodity we laboured under a few Years since, was owing to the too great Value we put on Gold in Proportion to Silver, and not so much to the Exportation of that Metal for the *East-India* Trade, as some have imagin'd.

And the great Coinage of Gold about that time makes it apparent that Foreigners gain'd by the Exchange of Gold for Silver. The Cessation of that quick Coinage and the Currency of Silver since, will enforce this Truth.



C H A P. V.

*The Possibility of paying the publick Debts
depends on Circulation.*



THE paying the publick Debts is a matter of the greatest Concern, and seems to be the chiefest Care of the Administration; the Measures that have been already taken will in all Probability, in the Year 1727, produce a sinking Fund of above a Million of Money.

And suppose we state the Debt at fifty three Millions, the Fund at 1,200,000, it is no great Discovery to say, that in less than twenty six Years this great Debt may be paid off.

But I must beg leave to observe, that notwithstanding this Account is mathematically true, upon the Supposition of so much Money received annually, yet, upon the whole, either the Creditor or the Community must lose so much of their Princip

pal before this Debt can be paid off, or else they must acquire a new Estate.

For Instance, A, the Government, owes B, C, D, 2000 *l.* E, F, G, H, have Lands and Goods to the Value of 20,000, and the whole Community have but 500 *l.* amongst them in Money, of which 100 *l.* a Year are the Revenues of A; if the Debt is at 4 *per Cent.* the Revenues of A, in less than twenty Years, will be sufficient to pay it. But how? It must be out of the Estates of B, C, D, E, F, G, H, so that their Estates must be diminished by so much, or they must acquire a new Estate answerable for this Debt.

It is true the Loss may not fall upon B, C, or D, the immediate Creditor, because any of them may purchase the Lands or Goods of E, F, G, or H. But then at last it must fall on him or them that have the Money, because that A has no other Estate to pay with, but the Money of B, C, D, E, F, &c.

If it could be supposed that B, C, D, State Creditors, should keep all the Money that was paid them by A, in five Years time they must have all the Money of the Community; but as this is unlikely, and their necessary Expences must make a Circulation, so of Course it must come about to A,

A, who has part of almost every thing that is bought or sold.

Perhaps it may be asked how so large a Money Debt could grow out of so small a Capital? To which I answer, that the annual Charge of our Fleets and Armies, chiefly consisting in Commodities of our own Growth, the Creditors were satisfied with an Interest for their Money, so that the annual Payment of the eighteenth or twentieth Part of the Value of their Goods was Satisfaction till the whole could be paid.

And as to the Money it was generally lent by the same People who sold their Securities to others at an advanc'd Price, and by this means were enabled every Year to lend more, they being the Reservoirs of all those little Streams or Parcels of Money which belonged to the Multitude, who demanded an Interest for them, the Punctuality of Payments and Sacredness of the Security in some time making the Interest more valuable than the Principal.

Hence it is that People finding themselves in a State of Safety, and that their Interest is well paid, raise the Price of their publick Securities, which of Necessity lessens the Value of Money.

If a Million of the publick Debts were paid off, this Money must come again to

Market to look out for Interest, and consequently the remaining part of the Debt would increase in its Value from the Difficulty of finding Employment for that Million elsewhere; but then it must be allowed that there is a Million less in Circulation than there was before, because this Million, call it Annuities or Stock of any kind, did the Office of so much Money; the same thing must be said of every Million that is paid off.

It may be a Question, whether after ten Millions paid off (and consequently so much less in Circulation) there will be the same Consumption of Commodities as there is at present; if not, the same Annuity cannot be collected, and consequently the Debt will take a longer time in clearing off.

'Tis demonstrable, unless People spend out of their Capital, the Consumption cannot be so great, because after ten Millions paid, there must be so much Principal and Interest less in Circulation than there was before, unless we suppose, that by the Application of this Money in Trade, we get a Sum equal to the Interest and Principal.

I am aware of an Objection that may be made to this Hypothesis, which is, that suppose ten Millions paid off, and the Fund to revert to the Mortgagers, then the same
Expence

Expence may still be made, because it is equal to the Publick, whether A, who has ten Pounds a Year, spends it all himself, or allows B forty Shillings out of it to spend.

Were this the Fact, it would admit of some Dispute, because when the publick Estate is diffus'd, it is more likely the Consumption will be greater, than when it is in a few Hands.

But this is not the Case, for let us suppose the publick Debt fifty Millions, the Interest two Millions and a half; suppose then ten Millions paid off, by which means the Government have a Fund of 500,000 *l.* more *per Annum* in their Hands to pay off another Part of the original Debt, it cannot be said this Sum comes to the Mortgagees in the same manner it did before; for now it is paid as principal Money, whereas before it being for Interest, it was in all probability expended in the Necessaries or Delicacies of Life.

If so much then is taken out of the Consumption, it must follow certainly that those Funds which arise out of Consumption must be affected, unless we suppose that the Mortgagees shall spend an equal Sum out of their Capital, or get such an Interest out of Trade and spend it.

There is another Objection which is hardly worth mentioning, which is, that as soon
as

as the State Creditor is paid off, he may lend his Money out again, or employ it in Trade, and consequently be enabled to spend the same Income he received from the Government.

As to the first Part of the Objection, it has not been considered who is to borrow; if the landed Man, why then of course there must be a Diminution of his Expence in Proportion to the Interest he pays: As I instanced before; A, possessed of ten Pounds a Year, pays forty Shillings *per Annum* to the Government. B, State Creditor, receives twenty Pounds of his Debt from the Government which he lends to A. A pays B twenty Shillings *per Annum*, then of consequence the Expence of A is reduc'd to seven Pounds *per Annum*, so that by this Loan there is not a Shilling more in Circulation, than there was before.

As to the second Part of the Objection, that the Money received may be employ'd in Trade; it must be consider'd in the first Place; that of the national Securities, I mean of that Part which belongs to our own Countrymen, perhaps not the 30th Part is in such Hands as know any thing of Trade.

Besides Trade, boundless though it may seem to be, is finite, and depends entirely upon
upon

upon your own Consumption, or that of other Countries.

Whatever you spend within yourselves, cannot be considered as a national Advantage in any other Light, but as it diffuses our Riches and contributes to make the Multitude live well, and puts them out of a state of Vassalage: But this great Expence at Home may really be injurious to us in another Light, as it may occasion a high Price upon such Commodities as may hinder Foreigners from buying of us, and, perhaps, put them upon such Measures, as has made them Masters of those Manufactures, or other Commodities, they were accustomed to have of us.

In a State of Tranquillity, it is not to be imagined but every Nation will look within herself, and see, what Methods she may take, to save the Charge of foreign Expence, and establish those necessary Arts and Sciences among her own People, the want of which has been prejudicial to her Interests before.

In 1665, the Crown of *France*, grown immensely great by innumerable Conquests, but greater still by the Effects of the *Pyrenean* Treaty, being in a profound Peace, thought it worth her while to look into the state of the Kingdom in respect to Commerce, and such effectual Measures were

were taken, as gained her the Balance of Trade from the rest of the World.

His Imperial Majesty has thought it his Interest to establish an *East-India* Trading Company at *Ostend*, and to give the greatest Encouragement to Traffick at *Trieste*, and it will be hard for Human Foresight to set Limits to the growing Commerce of his wide Dominion.

Even *Spain*, slow and unactive as she is, begins to think Trade a necessary Branch of a wise Government ; and if we may believe publick Accounts, the Duke *de Ripperda* has already gone great Lengths in settling a Woollen Manufacture in the Province of *Andaloufia*.

What I infer from these Observations, is, that it is probable, if *Europe* rest in a state of Peace, the Commerce of *Britain* will not be so advantageous to her as it has been, and consequently there will not be that Opportunity of employing those great Sums in Trade, as People may imagine.

If, after twenty Millions paid, the Difficulty of employing Money will become so great as that half of it may become useless, that is, hoarded up, which may very well be the Case ; it is not then to be imagined the Consumption of Goods can be so great as now ; the Duties then of Necessity must be less.

If

If the Consumption diminishes, who is it that is most like to suffer? Why the trading Man, Mechanick, and landed Man. For Instance, if the money'd Man is reduced to live on three Fifths less than heretofore, or which is the same thing, the money'd Estate is three Fifths worse than it was before; the Consumption of the Proprietors must abate in proportion; and consequently this must fall on the trading Man, Mechanick, or landed Man; because under these three Heads all the necessary Expences of Life almost may be rang'd.

The landed Man will be very much surpriz'd to find his Rents diminish; and yet his Land rise in value as to the Purchase of it; the Merchant will wonder, that in a profound Time of Tranquillity and Plenty he has not that Vent for his Commodities he was accustomed to have.

The poor Mechanick will pine for want of Employment; and this must be the Consequence if we have less to spend than we had before.

But perhaps it will be thought adviseable to leave open all the Gates of Circulation, that this Alteration may come gradually, and not surprize us; that the Advantages we may have from Trade may fill up those Gaps which must be occasioned by such a

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will

will make. If an Annuity-Office should be open to all Purchasers for their Lives, People would, doubtless, rather than have Money lye idle, buy Annuities either for themselves or their Children; and this would be always Money in Circulation; and I am certain, that were this under a good Regulation, at the Price Annuities are now, the Government would be Gainers by the Project; and were it to continue, would, in the Process of Time, raise a Sum of Money for any Emergency!

One thing I am sure of, it would greatly facilitate the Circulation of Money, without which our Debts can never be paid off.

If the Value of a Life of 26 Years old be 13 Years and three fifths Interest at 5 *per Cent.* that is, the Purchaser and Government make an equal Bargain; if the Purchaser gives thirteen hundred and sixty Pounds for a hundred Pounds a Year during his Life, when the Difficulty of getting Interest for Money shall be great, it will be a great Temptation to People to receive about 8 *per Cent.* for their Money.

The Government too will find an Advantage in this Circulation; and if these Annuities are confined to People resident in *England*, in all Probability it will bring over many Strangers to dwell amongst us, whose

whose Wealth can be no Disadvantage to us, and who can no where else find such an Employment for their Money.

An ingenious Calculator has upon probable Principles computed the Values of Annuities for every 10th Year of a Man's Life, for an Interest at 5 *per Cent.* as follows:

Persons Age	5 <i>per Cent.</i> Years Purch.
76 —	3,78
66 —	6,46
56 —	8,88
46 —	10,62
36 —	12,20
26 —	13,60
16 —	14,84
6 —	15,21
1 —	11,70

But as Money may still fall in its Value, yet the same Reason will continue for employing great Sums this Way.

If national Interest should come to 4 *per Cent.* then the Purchase Money would be still more, as in the following Table.

Persons 4 per Cent.
Age. Years Purch.

1	—	13,3
6	—	17,9
16	—	17,4
26	—	15,7
36	—	14,0
46	—	11,9
56	—	9,8
66	—	6,9
76	—	3,9





APPENDIX.

*The Treaty of Commerce between their
Britannick and most Christian Ma-
jesties, &c.*

ARTICLE I.



It is agreed and concluded be-
tween the most serene and po-
tent Queen of *Great Britain*,
and the most serene and most
potent, the most Christian King,
That there shall be a reciprocal and entire
perfect Liberty of Navigation and Com-
merce between the Subjects on each Part
throughout all and every the Kingdoms,
States, Dominions and Provinces of their
Royal Majesties in *Europe*, concerning all
and singular Kinds of Goods in those Places
and on those Conditions and in such Man-
ner and Form as is settled and adjusted in
the following Articles.

II.

But that the Commerce and Friendship between the Subjects of the abovesaid Parties may be hereafter secure, and free from all Trouble and Molestation, it is agreed and concluded, that if at any time any ill Understanding, and Breach of Friendship, or Rupture, should happen between the Crowns of their Royal Majesties, (which God forbid) in such Case the Term of six Months shall be allowed after the said Rupture to the Subjects and Inhabitants on each Part residing in the Dominions of the other, in which they themselves may retire, together with their Families, Goods, Merchandizes and Effects, and carry them whithersoever they shall please; as likewise at the sametime the selling and disposing of their Goods, both moveable and immoveable, shall be allowed them freely, and without any Disturbance, and in the mean time their Goods, Effects, Wares and Merchandizes, and particularly their Persons, shall not be detained or troubled by Arrest or Seizure. But rather in the mean while the Subjects on each side shall have and enjoy good and speedy Justice, so that during the said Space of six Months they may be able to recover their Goods and Effects entrusted as well to the Publick as to private Persons.

III.

III.

It is likewise agreed and concluded, that the Subjects and Inhabitants of the Kingdoms, Provinces and Dominions of each of their Royal Majesties shall exercise no Acts of Hostility and Violence against each other, neither by Sea, nor by Land, nor in Rivers, Streams, Ports or Havens, under any Colour or Pretence whatsoever, so that the Subjects of either Party shall receive no Patent, Commission or Instruction for arming and acting at Sea as Privateers, nor Letters of Reprisal, as they are call'd, from any Princes or States, which are Enemies to one side or the other; nor by Virtue, or under Colour of such Patents, Commissions or Reprisals shall they disturb, infect, or any way prejudice or damage the aforesaid Subjects and Inhabitants of the Queen of *Great Britain*, or of the most Christian King, neither shall they arm Ships in such manner as is abovesaid, or go out to Sea therewith; to which end, as often as it is required by either side, strict and express Prohibition shall be renewed and published in all the Regions, Dominions and Territories of each Party wheresoever, that no one shall in any wise use such Commissions or Letters of Reprisal under the severest Punishment

ment that can be inflicted on the Transgressors, besides Restitution and full Satisfaction to be given to those to whom they have done any Damage; neither shall any Letters of Reprisal be hereafter granted on either side by the said Confederates, to the Detriment or Disadvantage of the Subjects of the other, except in such case only as Justice is deny'd or delay'd, to which Denial or Delay Credit shall not be given, unless the Petition of the Person who desires the said Letters of Reprisal be communicated to the Minister residing there on the Part of the Prince, against whose Subjects they are to be granted, that within the space of four Months, or sooner if it be possible, he may evince the contrary, or procure the Performance of what is due to Justice.

IV.

The Subjects and Inhabitants of each of the aforesaid Confederates shall have Liberty, freely and securely, without Licence or Passport, general or special, by Land or by Sea, or any other way, to go into the Kingdoms, Countries, Provinces, Lands, Islands, Cities, Villages, Towns walled or unwalled, fortified or unfortified, Ports, Dominions or Territories whatsoever of the other Confederate in *Europe*, there to enter, and to return from thence, to abide there or to pass through

through the same; and in the mean time to buy and purchase, as they please, all things necessary for their Subsistence and Use, and they shall be treated with all mutual Kindness and Favour; provided however, that in all these matters they behave and comport themselves conformably to the Laws and Statutes, and live and converse with each other friendly and peaceably, and keep up reciprocal Concord by all manner of good Understanding.

The Subjects of each of their Royal Majesties may have Leave and Licence to come with their Ships, as also with the Merchandizes and Goods on board the same (the Trade and Importation whereof are not prohibited by the Laws of either Kingdom) to the Lands, Countries, Cities, Ports, Places, and Rivers of either Side in *Europe*, to enter into the same, to resort thereto, to remain and reside there, without any Limitation of Time; also to hire Houses, or to lodge with other People, and to buy all lawful Kinds of Merchandizes, where they think fit, from the first Workman or Seller, or in any other manner, whether in the publick Market for the Sale of things, in Mart-Town, Fairs, or wheresoever those Goods are manufactured or sold. They may likewise lay up and keep in their Magazines

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and Warehouses, and from thence expose to Sale Merchandizes brought from other Parts, neither shall they be in anywise obliged, unless willingly, and of their own accord, to bring their said Merchandizes to the Marts and Fairs; on this condition however, that they shall not sell the same by retail in Shops or any where else; but they are not to be loaded with any Impositions or Taxes on account of the said Freedom of Trade, or for any other Cause whatsoever, except what are to be paid for their Ships and Goods, according to the Laws and Customs received in each Kingdom. And moreover they shall have free leave, without any Molestation, to remove themselves; also if they shall happen to be married, their Wives, Children, and Servants, together with their Merchandizes, Wares, Goods and Effects either bought or imported, whensoever and whithersoever they shall think fit, out of the Bounds of each Kingdom, by Land and by Sea, on the Rivers and fresh Waters, discharging the usual Duties, notwithstanding any Law, Privilege, Grant, Immunity or Custom in any wise importing the contrary: But in the Business of Religion there shall be an entire Liberty allowed to the Subjects of each of the Confederates, as also, if they are married, to their Wives and Children, neither

neither shall they be compelled to go to the Churches, or to be present at the religious Worship in any other place. On the contrary, they may without any kind of Molestation perform their religious Exercises after their own Way, although it be forbid by the Laws of the Kingdom, privately and within their own Walls, and without the Admittance of any other Persons whatsoever. Moreover, Liberty shall not be refused to bury the Subjects of either Party, who dye in the Territories of the other in convenient and decent Places, to be appointed for that Purpose, as occasion shall require. Neither shall the dead Bodies of those that are buried be any ways molested. The Laws and Statutes of each Kingdom shall remain in full Force, and shall duly be put in Execution, whether they relate to Commerce and Navigation, or to any other Right, those Cases only being excepted, concerning which, it is otherwise determined in the Articles of this present Treaty.

VI.

The Subjects of each Party shall pay the Tolls, Customs and Duties of Import and Export, through all the Dominions and Provinces of either Party, as are due and

accustomed. And that it may be certainly known to every one, what are all the said Tolls, Customs and Duties of Import and Export, it is likewise agreed, that Tables shewing the Customs, Port Duties, and Imposts, shall be kept in publick Places, both at *London* and in other Towns, within the Dominions of the Queen of *Great Britian*, and at *Roan*, and other Towns of *France* where Trading is used, whereunto Recourse may be had, as often as any Question or Dispute arises, concerning such Port Duties, Customs, and Imposts, which are to be demanded in such manner, and no otherwise, as shall be agreeable to the plain Words and genuine Sense of the abovesaid Tables. And if any Officer, or other Person in his Name, shall under any Pretence publickly or privately, directly or indirectly, ask or take of a Merchant, or of any other Person, any Sum of Money, or any thing else, on account of Right, Dues, Stipend, Exhibition, or Compensation, altho' it be under the Name of a Free Gift, or in any other manner, or under any other Pretence, more or otherwise, than what is prescribed above, in such case the said Officer, or his Deputy, if he be found guilty, and convicted of the same before a competent Judge in the Country where the Crime was committed, shall give full Satisfaction to the Party that is wronged,

wronged, and shall likewise be punished, according to the Direction of the Laws.

VII.

Merchants, Masters of Ships, Owners, Mariners, Men of all Kinds, Ships, and all Merchandizes in general, and Effects of one of the Confederates, and of his Subjects and Inhabitants, shall, on no publick or private Account, by virtue of any general or special Edict, be seized in any the Lands, Ports, Havens, Shores, or Dominions whatsoever of the other Confederate, for the publick Use, for warlike Expeditions, or for any other Cause, much less for the private Use of any one, shall they be detained by Arrests, compelled by Violence, or under any Colour thereof, or in any wise molested or injured. Moreover, it shall be unlawful for the Subjects of both Parties, to take any thing, or to extort it by Force, except the Person to whom it belongs consent, and it be paid for with ready Money; which, however, is not to be understood of that Detention and Seizure, which shall be made by the Command and Authority of Justice, and by the ordinary Methods, on account of Debt or Crimes, in respect whereof, the Proceeding must be by way of Law, according to the Form of Justice.

VIII.

VIII.

Furthermore it is agreed and concluded as a general Rule, that all and singular the Subjects of the most serene Queen of *Great Britain*, and of the most serene the most Christian King, in all Countries and Places subject to their Power on each side, as to all Duties, Impositions, or Customs whatsoever, concerning Persons, Goods, and Merchandizes, Ships, Freights, Seamen, Navigation, and Commerce, shall use and enjoy the same Privileges, Liberties and Immunities at least, and have the like Favour in all Things, as well in the Courts of Justice, as in all such Things as relate either to Commerce, or to any other Right whatever, which any foreign Nation the most favoured, has, uses, and enjoys, or may hereafter have, use, and enjoy.

IX.

It is farther agreed, that within the Space of two Months after a Law shall be made in *Great Britain*, whereby it shall be sufficiently provided, that no more Customs or Duties be paid for Goods and Merchandizes brought from *France* to *Great Britain*, than what are payable for Goods and Merchandizes
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of the like Nature, imported into *Great Britain*, from any other Country in *Europe* ; and that all Laws made in *Great Britain* since the Year 1664, for prohibiting the Importation of any Goods and Merchandizes coming from *France*, which were not prohibited before the Time, be repealed, the general Tariff made in *France* the 18th Day of *September* in the Year 1664, shall take Place again, and the Duties payable in *France* by the Subjects of *Great Britain*, for Goods imported and exported, shall be paid according to the Tenour of the Tariff abovementioned, and shall not exceed the Rule therein settled, in the Provinces whereof mention is there made ; and in the other Provinces, the Duty shall not be payable, otherwise than according to the Rule at that Time prescribed. And all Prohibitions, Tariffs, Edicts, Declarations, or Decrees made in *France*, since the said Tariff of the Year 1664, and contrary thereunto, in respect to the Goods and Merchandizes of *Great Britain* shall be repealed. But whereas it is urged on the Part of *France*, that certain Merchandizes, that is to say, Manufactures of Wool, Sugar, salted Fish, and the Product of Whales, be excepted out of the Rule of the abovementioned Tariff, and likewise other Heads of Matters belonging to this Treaty remain, which
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having been proposed on the Part of *Great Britain*, have not yet been mutually adjusted, a Specification of all which is contained in a separate Instrument, subscribed by the Ambassador Extraordinary and Plenipotentiaries on both Sides. It is hereby provided and agreed, that within two Months from the Exchange of the Ratifications of this Treaty, Commissaries on both Sides shall meet at *London*, to consider of, and remove the Difficulties concerning the Merchandizes to be excepted out of the Tariff of the Year 1664, and concerning the other Heads, which, as is abovesaid, are not yet wholly adjusted. And at the same Time, the said Commissaries shall likewise endeavour (which seems to be very much for the Interest of both Nations) to have the Methods of Commerce on one Part, and of the other, more thoroughly examined; and to find out and establish just and beneficial Means on both Sides, for removing the Difficulties in this Matter, and for regulating the Duties mutually. But it is always understood and provided, that all and singular the Articles of this Treaty, do in the mean while remain in their full Force, and especially that nothing be deemed, under any pretence whatsoever, to hinder the Benefit of the general Tariff of the Year 1664. from being granted to the Subjects

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of her Royal Majesty of *Greatt Britain*, and the said *British* Subjects, from having and enjoying the same, without any Delay or Tergiversation, within the Space of two Months, after a Law is made in *Great Britain*, as abovesaid, in as ample Manner and Form, as the Subjects of any Nation, the most favoured, might have and enjoy the Benefit of the aforesaid Tariff, any thing to be done or discussed, by the said Commissioners to the contrary, in any wise notwithstanding.

X.

The Duties on Tobacco imported into *France*, either in the Leaf or prepared, shall be reduced hereafter to the same moderate Rate as the said Tobacco, of the Growth of any Country in *Europe* or *America*, being brought into *France*, does, or shall pay. The Subjects on both Sides shall also pay the same Duties in *France* for the said Tobacco : There shall be likewise an equal Liberty of selling it ; and the *British* Subjects shall have the same Laws as the Merchants of *France* themselves have and enjoy.

XI.

It is likewise concluded, that the Imposition or Tax of fifty *Sols Tournois* laid on *British* Ships in *France*, for every Ton, shall wholly cease, and be from henceforward annulled. In like manner, the Tax of 5 s. Sterling, laid on *French* Ships in *Great Britain* for every Ton, shall cease; neither shall the same, or any the like Impositions, be laid hereafter on the Ships of the Subjects on either Side.

XII.

It is further agreed and concluded, that it shall be wholly free for all Merchants, Commanders of Ships, and other the Subjects of the Queen of *Great Britain*, in all Places of *France*, to manage their own Business themselves, or to commit them to the Management of whomsoever they please; nor shall they be obliged to make use of any Interpreter or Broker, nor to pay them any Salary, unless they chuse to make use of them. Moreover, Masters of Ships shall not be obliged in loading or unloading their Ships, to make use of those Workmen, either at *Bordeaux*, or in any other Places, as may be appointed by publick Authority for

for that Purpose, but it shall be entirely free for them to load or unload their Ships by themselves, or to make use of such Persons in loading or unloading the same as they shall think fit, without the Payment of any Salary to any other whomsoever; neither shall they be forced to unload any sort of Merchandizes, either into other Ships, or to receive them into their own, or to wait for their being loaded longer than they please. And all and every the Subjects of the most Christian King, shall reciprocally have and enjoy the same Privileges and Liberty in all Places in *Europe*, subject to the Dominion of *Great Britain*.

XIII.

It shall be wholly lawful and free for Merchants and others, being Subjects either to the Queen of *Great Britain*, or to the most Christian King, by Will, and any other Disposition made, either during the Time of Sicknes, or at any other Time before, or at the Point of Death, to devise or give away their Merchandizes, Effects, Money, Debts belonging to them, and all moveable Goods, which they have, or ought to have at the Time of their Death, within the Dominions, and any other Places belonging to the Queen of *Great Britain*, and

to the most Christian King. Moreover, whether they die, having made their Will, or Intestate, their lawful Heirs, and Executors or Administrators, residing in either of the Kingdoms, or coming from any other Part, although they be not naturalized, shall freely and quietly receive and take Possession of all the said Goods and Effects whatsoever, according to the Law of *Great Britain* and *France* respectively; in such manner however, that the Wills, and Right of entering upon the Inheritances of Persons Intestate must be proved according to Law, as well by the Subjects of the Queen of *Great Britain*, as by the Subjects of the most Christian King, in those Places where each Person died, whether that may happen in *Great Britain* or in *France*, any Law, Statute, Edict, Custom, or *Droit de Aubène*, whatever to the contrary, notwithstanding.

XIV.

A Dispute arising between any Commander of the Ships on both Sides, and his Seamen in any Port of the other Party, concerning Wages due to the said Seamen, or other civil Causes, the Magistrate of the Place shall require no more from the Person accused, than that he give to the Accuser

cuse a Declaration in Writing, witnessed by the Magistrate, whereby he shall be bound to answer that matter before a competent Judge in his own Country, which being done, it shall not be lawful either for the Seamen to desert their Ship, or to hinder the Commander from prosecuting his Voyage. It shall moreover be lawful for the Merchants on both Sides, in the Places of their Abode, or elsewhere, to keep Books of their Accounts and Affairs as they shall think fit, and to have an Intercourse of Letters, in such Language or Idiom, as they shall please, without any Molestation or Search whatsoever. But if it should happen to be necessary for them to produce their Books of Accounts for deciding any Dispute and Controversy, in such Case they shall be obliged to bring into Court the entire Books or Writings, but so as that the Judge may not have Liberty to inspect any other Articles in the said Books, than such as shall relate to the Testimony or Authority in Question, or such as shall be necessary to give Credit to the said Books. Neither shall it be lawful, under any Pretence, to take the said Books or Writings forcibly out of the Hands of the Owners, or to retain them, the Case of Bankruptcy only excepted: Neither shall the said Subjects of the Queen of *Great Britain* be obliged to write their Accounts,

counts, Copies of Letters, Acts or Instruments relating to Trade on stamped Paper, in *French*, *Papier timbre*, except their Day-Book, which, that it may be produced as Evidence in any Law-Suit, ought, according to the Laws, which all Persons trading in *France* are to observe, to be subscribed *gratis* by the Judge, and signed by his own Hand.

XV.

It shall not be lawful for any foreign Privateers, not being Subjects of one or of the other of the Confederates, who have Commissions from any other Prince or State in Enmity with either Nation to fit their Ships in the Ports of one or the other of the aforesaid Parties, to sell what they have taken, or in any other manner whatever, to exchange either Ships, Merchandizes, or any other Ladings. Neither shall they be allowed even to purchase Victuals, except such as shall be necessary for their going to the next Port of that Prince from whom they have Commissions.

XVI.

The Ships of both Parties being laden, sailing along the Coasts or Shores of the other; and being forced by Storm into the Havens

Havens or Ports, or coming to land in any other manner, shall not be obliged there to unlade their Goods; or any Part thereof, or to pay any Duty, unless they do of their own accord unlade their Goods there, or dispose of any Part of their Lading. But it may be lawful to take out of the Ship, and to sell, Leave being first obtained from those who have the Inspection of Sea Affairs, a small Part of their Lading, for this end only, that Necessaries, either for the Refreshment or Victualling of the Ship may be purchased; and in that Case, the whole Lading of the Ship shall not be subject to pay the Duties, but that small Part only, which has been taken out and sold.

XVII.

It shall be lawful for all and singular the Subjects of the Queen of *Great Britain*, and of the most Christian King to sail with their Ships with all manner of Liberty and Security, no Distinction being made who are the Proprietors of the Merchandizes laden thereon from any Port to the Places of those who are now or shall be hereafter at Enmity with the Queen of *Great Britain*, or the most Christian King; it shall likewise be lawful for the Subjects and Inhabitants aforesaid to sail with the Ships and Merchandizes aforementioned, and to trade with

with the same Liberty and Security from the Places, Ports and Havens of those who are Enemies of both, or of either Party without any Opposition or Disturbance whatsoever, not only directly from the Places of the Enemy aforementioned, to neutral Places, but also from one Place belonging to an Enemy to another Place belonging to an Enemy, whether they be under the Jurisdiction of the same Prince, or under several. And as it is now stipulated concerning Ships and Goods, that free Ships shall also give a Freedom to Goods, and that every thing shall be deemed to be free and exempt which shall be found on board the Ships belonging to the Subjects of either of the Confederates, altho' the whole Lading, or any part thereof should appertain to the Enemies of either of their Majesties, contraband Goods being always excepted, on the Discovery whereof Matters shall be managed according to the Sense of the subsequent Articles. It is also agreed in like manner, that the same Liberty be extended to Persons who are on board a free Ship with this Effect, that altho' the Enemies to both, or to either Party, they are not to be taken out of that free Ship unless they are Soldiers, and in actual Service of the Enemies.

XVIII.

This Liberty of Navigation and Commerce shall extend to all kind of Merchandizes, excepting those only which follow in the next Article, and which are signified by the Name of Contraband.

XIX.

Under this Name of contraband or prohibited Goods shall be comprehended Arms, great Guns, Bombs with their Fuses, and other Things belonging to them, Fire-Balls, Gun-Powder, Match, Cannon-Balls, Pikes, Swords, Lances, Spears, Halberds, Mortars, Petards, Granadoes, Saltpetre, Muskets, Musket-Balls, Helmets, Head-Pieces, Breast-Plates, Coats of Mail, and the like Kinds of Arms proper for arming Soldiers, Musket-Refts, Belts, Horses with their Furniture, and all other warlike Instruments whatever.

XX.

These Merchandizes which follow shall not be reckoned among prohibited Goods; that is to say, all sorts of Cloths, and all other Manufactures woven of any Wool,
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Flax, Silk, Cotton, or any other Materials whatever; all kind of Cloaths and wearing Apparel, together with the Species whereof they are used to be made, Gold and Silver, as well coined as uncoined, Tin, Iron, Lead, Copper, Brass, Coals; as also Wheat and Barley, and any other kind of Corn and Pulse; Tobacco, and likewise all manner of Spices, salted and smoaked Flesh, salted Fish, Cheese and Butter, Beer, Oyls, Wines, Sugars, and all sorts of Salt, and in general, all Provisions which serve for the Nourishment of Mankind, and the Sustenance of Life. Furthermore, all kinds of Cotton, Hemp, Flax, Tar, Pitch, Ropes, Cables, Sails, Sail-Cloths, Anchors, and any Parts of Anchors, also Ship-Masts, Planks, and Boards, and Beams, of what Trees soever, and all other Things proper, either for building or repairing Ships, and all other Goods whatever, which have not been worked into the Form of any Instrument or Thing prepared for War, by Land or by Sea, shall not be reputed contraband, much less such as have been already wrought and made up for another Use; all which shall wholly be reckoned among free Goods, as likewise all other Merchandizes and Things which are not comprehended and particularly mentioned in the preceding Article, so that they may be transported and carried in
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the freest manner by the Subjects of both the Confederates, even to Places belonging to an Enemy, such Towns or Places being only excepted, as are at that Time besieged, blocked up round about or invested.

XXI.

To the end that all manner of Dissentions and Quarrels may be avoided and prevented on one side and t'other, it is agreed, that in Case either of their Royal Majesties who are allied should be engaged in War, the Ships and Vessels belonging to the Subjects of the other Ally must be furnished with Sea Letters or Passports, expressing the Name, Property and Bulk of the Ship; as also the Name and Place of Habitation of the Master and Commander of the said Ship, that it may appear thereby, that the Ship really and truly belongs to the Subjects of one of the Princes; which Passports shall be made out and granted, according to the Form annexed to this Treaty: They shall likewise be recalled every Year; that is, if the Ship happens to return home within the Space of a Year.

It is likewise agreed, that such Ships being laden, are to be provided, not only with Passports as abovementioned, but also with Certificates containing the several

Particulars of the Cargo, the Place whence the Ship sail'd, and whither she is bound, that so it may be known whether any forbidden or contraband Goods, as are enumerated in the 19th Article of this Treaty, be on board the same, which Certificates shall be made out by the Officer of the Place whence the Ship set sail, in the accustomed Form.

And if any one shall think fit or advisable to express in the said Certificates the Persons to whom they belong, he may freely do so.

XXII.

The Ships of the Subjects and Inhabitants of both their serene Royal Majesties coming to any of the Sea-Coasts within the Dominions of either of the Confederates, but not willing to enter into Port, or being entered, yet not being willing to shew or to sell the Cargoes of their Ships, shall not be obliged to give an Account of their Lading, unless they are suspected upon sure Evidence, of carrying to the Enemies of the other Confederate prohibited Goods, called contraband.

XXIII.

XXIII.

And in case of the said manifest Suspicion, the said Subjects and Inhabitants of the Dominions of both their most serene Royal Majesties shall be obliged to exhibit in the Ports their Passports and Certificates, in the manner before specified,

XXIV.

But in case the Ships of the Subjects and Inhabitants of both their most serene Royal Majesties, either on the Sea-Coast, or on the high Seas, shall meet with the Men of War of the other, or with Privateers, the said Men of War and Privateers, for preventing any Inconveniences, are to remain out of Cannon-shot, and to send a Boat to the Merchant Ship, which has been met with, and shall enter her with two or three Men only, to whom the Master or Commander of such Ship or Vessel shall shew his Passport, concerning the Property thereof, made out according to the Form annexed to this present Treaty; and the Ship which shall exhibit one shall have free Passage; and it shall be wholly unlawful to molest her, search, or compel her to quit her intended Course.

XXV.

XXV.

But that Merchant Ship of the other Party, which intends to go to a Port at Enmity with the other Confederate, or concerning whose Voyage, and the sort of Goods on Board, there may be just Suspicion, shall be obliged to exhibit, either on the high Seas, or in the Ports and Havens, not only her Passports, but her Certificates, expressing, that they are not of the kind of Goods prohibited, which are specified in the 19th Article.

XXVI.

But if one Party, on the exhibiting the abovesaid Certificates, mentioning the Particulars of the Things on board, should discover any Goods of that kind which are declared contraband or prohibited by the 19th Article of this Treaty, designed for a Port subject to the Enemy of the other, it shall be unlawful to break up the Hatches of that Ship, wherein the same shall happen to be found, whether she belong to the Subjects of *Great Britain* or of *France*, to open the Chests, Packs, or Casks therein, or to remove even the smallest Parcel of the Goods, unless the Lading
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be brought on Shore, in the Presence of the Officers of the Court of Admiralty, and an Inventory thereof made ; but there shall be no Allowance to sell, exchange or alienate the same in any manner, unless after that due and lawful Process shall have been had against such prohibited Goods, and the Judges of the Admiralty respectively shall, by a Sentence pronounced, have confiscated the same, saving always as well the Ship itself, as the other Goods found therein, which by this Treaty are to be esteemed Free ; neither may they be detained on Pretence of their being, as it were, infected by the prohibited Goods, much less shall they be confiscated as lawful Prize : But if not the whole Cargo, but only Part thereof, shall consist of prohibited or contraband Goods, and the Commander of the Ship shall be ready and willing to deliver them to the Captor, who has discovered them, in such case the Captor having received those Goods, shall forthwith discharge the Ship, and not hinder her, by any means, freely to prosecute the Voyage on which she was bound.

XXVII.

On the contrary it is agreed, that whatever shall be found to be laden by the Subjects

jects and Inhabitants of either Party on any Ship belonging to the Enemy of the other, and his Subjects, the whole, although it be not of the sort of prohibited Goods, may be confiscated in the same manner as if it belonged to the Enemy himself, except those Goods and Merchandizes as were put on board such Ship before the Declaration of War, or even after such Declaration, if so be it were done within the Time and Limits following ; that is to say, if they were put on board such Ship in any Port and Place within the Space of six Weeks after such Declaration within the Bounds, called the *Naze* in *Norway*, and the Soundings ; of two Months from the Soundings to the City of *Gibraltar* ; of ten Weeks in the *Mediterranean* Sea ; and of eight Months in any other Country or Place in the World ; so that the Goods of the Subjects of either Prince, whether they be of the Nature of such as are prohibited, or otherwise, which, as is aforesaid, were put on board any Ship belonging to an Enemy before the War, or after the Declaration of the same, within the Time and Limits aforesaid, shall no Ways be liable to Confiscation, but shall well and truly be restored, without Delay, to the Proprietors demanding the same ; but so as that if the said Merchandizes be contraband, it

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shall

shall not be any Ways unlawful to carry them afterwards to the Ports belonging to the Enemy.

XXVIII.

And that more abundant Care may be taken for the Security of the Subjects of both their most serene Royal Majesties, that they suffer no Injury by the Men of War or Privateers of the other Party, all the Commanders of the Ships of the Queen of *Great Britain*, and of the most Christian King, and all their Subjects, shall be forbid doing any Injury or Damage to the other side; and if they act to the contrary, they shall be punished, and shall moreover be bound to make Satisfaction for all Cause of Damage, and the Interest thereof, by Reparation, under the Bond and Obligation of their Person and Goods.

XXIX.

For this Cause all Commanders of Privateers, before they receive their Patents, or special Commissions, shall hereafter be obliged to give before a competent Judge, sufficient Security by good Bail, who are Men able to pay, and have no Interest in the said Ship, and are each bound in the

whole for the Sum of 1500 *l.* Sterling, or 16500 *Livres Tournois*; or if such Ship be provided with above 150 Seamen or Soldiers for the Sum of 3000 *l.* Sterling, 33000 *Livres Tournois*, that they will make entire Satisfaction for any Damages and Injuries whatsoever, which they, or their Officers, or others in their Service commit during their Course at Sea, contrary to this present Treaty, or the Edicts of either of their most serene Royal Majesties, published by virtue thereof, under Penalty likewise of having their special Commissions revoked and annulled.

XXX.

Both their abovenamed Royal Majesties being willing to shew a mutual and equal Favour in all their Dominions respectively, to the Subjects of each other, in the same manner as if they were their own Subjects, will give such Orders as shall be necessary and effectual, that Justice be administred concerning Prizes in the Court of Admiralty, according to the Rule of Equity and Right, and the Articles of this Treaty, by Judges who are above all Suspicion, and who have no manner of Interest in the Cause in dispute.

XXXI.

XXXI.

Whenever the Ambassadors of each of their Royal Majesties abovenamed, and other their Ministers having a publick Character, and residing in the Court of the other Prince, shall complain of the Unjustness of the Sentences which have been given, their Majesties, on each side, shall take Care, that the same be revised and re-examined in their respective Councils, that it may appear whether the Directions and Provisions prescribed in this Treaty have been observed, and have had their due Effect: They shall likewise take Care, that this Matter be effectually provided for, and that Right be done to every Complainant, within the Space of three Months.

However, before or after Judgment given, the Revision thereof still depending, for the avoiding of all Damage, it shall not be lawful to sell the Goods in dispute, or to unlade them, unless with the Consent of the Person concerned.

XXXII.

A Suit being commenc'd between the Captors of Prizes on one Part, and the Reclaimers of the same on the other, and

a Sentence or Decree being given in favour of the Reclaimer, that same Sentence or Decree, Security being given, shall be put in Execution, the Appeal of the Captor to a superior Judge in any wise notwithstanding; which however is now to be observed when Judgment has been given against the Reclaimer.

XXXIII.

In case that either Ships of War, or Merchant Men, forced by Storm or other Misfortune, be driven on Rocks or Shelves on one or the other Party, and are there broken to pieces and shipwreck'd, whatever Part of the Ships, or Tackling thereof, as also of the Goods and Merchandizes shall be saved, or the Produce thereof, shall be faithfully restored to the Proprietors, Reclaimers, or their Factors, paying only the Expences of preserving the same, in such manner as it may be settled on both Sides, concerning the Rate of Salvage: Saving at the same Time the Rights and Customs of each Nation.

And both their serene Royal Majesties will interpose their Authority, that such of their Subjects may be severely punished, who in the like Accident shall be found guilty of Inhumanity.

XXXIV.

XXXIV.

It shall be free for the Subjects of each Party to employ such Advocates, Attornies, Notaries, Solicitors and Factors, as they shall think fit; to which end the said Advocates, and others abovementioned, may be appointed by the ordinary Judges, if it be needful, and the Judges be required thereunto.

XXXV.

And that Commerce and Navigation may be more securely and freely followed, it is farther agreed, that neither the Queen of *Great Britain*, nor the most Christian King shall receive any Pyrates and Robbers into any of their Ports, Havens, Cities, or Towns; neither shall they permit them to be received into their Ports to be protected, or assisted by any manner of harbouring or support by any the Subjects or Inhabitants of either of them; but they shall rather cause all such Pyrates and Sea Robbers, or whoever shall receive, conceal, or assist them, to be apprehended, and punished as they deserve, for a Terror and Example to others.

And

And all Ships, Goods, or Merchandizes, being pyratikally taken by them, and brought into the Ports of the Kingdom of either, as much as can be found, although they have been by Sale conveyed to others, shall be restored to the lawful Owners, or their Deputies, having Instruments of Delegation, and an Authority of Procuracion for Reclaiming the same; and Indemnisation shall be made, proper Evidence being first given in the Court of Admiralty, for proving the Property.

And all Ships and Merchandizes, of what Nature soever, which can be rescued out of their Hands on the high Seas, shall be brought into some Port of either Kingdom, and shall be delivered to the Custody of the Officers of that Port, with this Intention, that they be delivered entire to the true Proprietor, as soon as due and sufficient Proof shall have been made concerning the Property thereof.

XXXVI.

It shall be lawful as well for the Ships of War of both their most serene Royal Majesties, as for Privateers, to carry whither soever they please the Ships and Goods taken from their Enemies; neither shall they be obliged to pay any Thing to the
Officers

Officers of the Admiralty, or to any other Judges; nor shall the aforementioned Prizes, when they come to, and enter the Ports of either of their most serene Royal Majesties, be detained by Arrest: Neither shall Searchers, or other Officers of those Places, make Examination concerning them, or the Validity thereof; but rather they shall have Liberty to hoist Sail at any Time, to depart and to carry their Prizes to that Place, which is mentioned in their Commission or Patent, which the Commanders of such Ships of War shall be obliged to shew: On the contrary, no Shelter or Refuge shall be given in their Ports to such as have made a Prize upon the Subjects of either of their Royal Majesties.

And if perchance such Ships shall come in, being forced by Stress of Weather, or the Danger of the Sea, particular Care shall be taken (as far as it is not repugnant to former Treaties, made with other Kings and States) that they go from thence, and retire elsewhere as soon as possible.

XXXVII.

Neither of their most serene Royal Majesties shall permit that the Ships or Goods of the other be taken upon the Coasts, or in the Ports or Rivers of their Dominions,
by

by Ships of War; or others having Commission from any Prince, Commonwealth, or Town whatsoever.

And in case such a Thing should happen; both Parties shall use their Authority and united Force, that the Damage done be made good.

XXXVIII.

If it hereafter shall happen through Inadvertency, or otherwise, that any Contraventions, or Inconveniencies on either side arise concerning the Observation of this Treaty, the Friendship and good Intelligence shall not immediately thereupon be broken off; but this Treaty shall subsist in all its Force, and a proper Remedy for removing the Inconveniencies shall be procured, as likewise Reparation of the Contraventions; and if the Subjects of the one or the other be found in fault, they only shall be severely punished and chastised.

XXXIX.

But if it shall appear that a Captor made use of any kind of Torture upon the Master of the Ship, the Ship's Crew, or others who shall be on board any Ship belonging to the Subjects of the other Party; in such

Case, not only the Ship itself, together with the Persons, Merchandizes, and Goods whatsoever, shall be forthwith releas'd without any farther Delay, and set entirely free; but also such as shall be found guilty of so great a Crime; as also the Accessories thereunto, shall suffer the most severe Punishment, suitable to their Crime; this the Queen of *Great Britain*, and the most Christian King do mutually engage shall be done without any Respect of Persons.





ARTICLE I.



O Manufactures of either Kingdom, and the Dominions belonging thereunto, shall hereafter be subject to be inspected and confiscated; under any Pretence of Fraud or Defect in making or working them, or because of any other Imperfection therein; but absolute Freedom shall be allowed to the Buyer and Seller, to bargain and agree for the same as they shall see good; any Law, Statute, Edict, Arrest, Privilege, Grant, or Custom to the contrary notwithstanding.

II.

And forasmuch as a certain Usage, not confirm'd by any Law, has obtained in several Towns of *Great Britain* and of *France*; that is to say, that every one for coming in, and going out, shall pay a Tax, called in *English*, Head Money; and in *French*, *Du Chef*, it is concluded, that neither the same,
nor

nor any other Duty on that Account, shall any more be exacted.

III.

And the *British* Merchants shall not hereafter be forbidden to sell Tobacco to any Buyer whom they please ; for which Purpose, the letting out the Duties on the said Tobacco to Farmers, which has been hitherto practised, shall cease. Neither shall such Farming be used again hereafter.

IV.

The following Case only being excepted, that is to say, where *British* Ships shall take up Merchandizes in one Port, and carry them to another Port of *France*, in which Case, and no other, the *British* Subjects shall be obliged to pay the Duties abrogated and abolished by this Article, only in Proportion to the Goods which they take in, and not according to the Bulk of the Ship.

V.

Whereas several kinds of Goods contained in Casks, Chests, or other Cases, for which the Duties are paid by Weight, will

be exported from, and imported into *France* by *British* Subjects: It is therefore agreed, that in such case the aforesaid Duties shall be payable only according to the Weight of the Goods themselves; but the Weight of the Casks, Chests, and other Cases whatever, shall be deducted in such Manner, and in such Proportion, as has been hitherto in Use in *England*, and is still practised.

VI.

It is farther agreed, that if any Mistake or Error shall on either side be committed by any Master of a Ship, his Interpreter, or Factor, or by others employed by him, in making the Entry or Declaration of the Goods on board his Ship, for such Defect, if so be some Fraud does not evidently appear, neither the Ship nor the Lading thereof shall be subject to be confiscated; but it shall be free for the Proprietors to take back again such Goods, as were omitted in the Entry or Declaration of the Master of the Ship, paying only the accustomed Duties, according to the Rates settled in the Books; neither shall the Merchants, or the Master of the Ship lose the said Goods, or suffer any other Punishment, if so be that the said Goods were not brought on Shore before the Declaration was made, and the Customs paid for the same.

VII.

VII.

And whereas the Quality of the Ship, Master, and Goods, will sufficiently appear from such Passports and Certificates, it shall not be lawful for the Commanders of Men of War to exact any other Verification under any Title whatsoever.

But if any Merchant Ship shall want such Passports or Certificates, then it may be examined by a proper Judge, but in such manner, as if it shall be found from other Proofs and Documents, that it does truly belong to the Subjects of either of the Confederates, and does not contain any prohibited Goods, designed to be carried to the Enemy of the other; it shall not be liable to Confiscation, but shall be released, together with its Cargo, in order to proceed on its Voyage, since it may often happen that such Papers could not come to the Ship when she was setting sail from any Port, or that they have been lost by some Chance or other, or that they have been taken away from the Ship.

And if besides the Passports and Certificates made according to the Form of their Treaty, other Passports and Certificates happen to be found in the Ship in another Form, and, perhaps, according to the Prescription

scription of Treaties made with others, no Pretence shall be taken from thence, of detaining, or in any wise molesting, either the Ship, or Men, or Goods.

If the Master of the Ship named in the Passports be removed by Death, or any other Cause, and another be put in his Place, the Passports shall nevertheless retain their Force, and the Ships, and Goods laden thereon shall be secure.

VIII.

It is farther provided on both Sides, and shall be taken for a general Rule, that a Ship and Goods, although they have remained in the Enemies Power for four and twenty Hours, shall not therefore be esteemed as Capture, and be immediately made a Prize; but if on other Accounts they ought to be restored, they may be reclaimed, and shall be given again to the Proprietors.

IX.

It shall be free for both their Royal Majesties, for the Advantage of their Subjects trading to the Kingdoms and Dominions of the other, to constitute national Consuls of their own Subjects, who shall enjoy that Right and Liberty which belongs to them,
by

by Reason of the Exercise of their Function ;
but as to the Places where such Consuls are
to be appointed, both Sides shall afterwards
agree between themselves.

In witness whereof, we the Ambassadors
extraordinary and Plenipotentiaries of her
sacred Royal Majesty of *Great Britain*, and
of his sacred Royal most Christian Majesty,
have subscribed this present Instrument with
our Hands, and set our Seals thereunto.

At *Utrecht* the $\frac{11}{12}$ Day of the Month
of ^{March} ~~April~~ in the Year 1713.

L.S. *Joh. Bristol*, C.P.S.
L.S. *Strafford*.

L.S. *Huxelles*,
L.S. *Mesnager*.





ARTICLE I.



Halebone cut and prepared, Fins and Oils of Whales, shall pay at all Places of Importation in the Kingdom, the Duties appointed by the Tariff of the 7th of *December*, 1699.

II.

Cloths, Ratines and Serges, shall be likewise subject to the same Duties of the Tariff of the 7th of *December* 1699; and in order to facilitate the Trade thereof, it shall be allowed to import by *St. Valery* upon the *Somme*, by *Rouen*, and by *Bourdeaux*, where these Goods shall be subject to Visitation, in the same manner as those which are made in the Kingdom.

III.

Salt-Fish in Barrels only are to be imported into the Kingdom, and at all Places of Entrance in the Kingdom, Countries, and Territories under the Dominion of the King; even at all free Ports; the Duties of Landing and of Consumption shall be paid, which were appointed before the Tariff of 1664, and besides 40 Livres *per* Last, consisting of twelve Barrels, weighing each 300 *l.* for the Duties of Entry, which Entry shall not be permitted but by *St. Valery* upon the *Somme, Rouen, Nants, Libourne* and *Bordeaux*, and shall remain prohibited at all other Harbours or Ports, as well in the Ocean as in the *Mediterranean*.

IV.

Refined Sugar, in Loaf or in Powder, white and brown Sugar Candy, shall pay Duties appointed by the Tariff of 1699.

In Confirmation of which, we the underwritten Ambassadors Extraordinary and Plenipotentiaries of her Majesty the Queen of *Great Britain*, and the Most Christi-

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an

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an King, have sign'd and seal'd these Presents.

At *Utrecht* the 28th Day of *April*

9th ——— *May*

In the Year 1713.

L.S. *Jab. Bristol*, C.P.S.

L.S. *Huxelles*,

L.S. *Strafford*.

L.S. *Mesnager*.

F I N I S.



E R R A T U M.

PAGE 48. line four read three Millions.



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